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BEAUTY THE NEW BUSINESS TOOL

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I

SOME years ago Thomas A. Edison went to Europe. In the course of his wanderings he came to that exquisite Gothic jewel, the Chapel of Saint Hubert, which hangs so entrancingly on the castle wall of Amboise, and which everyone knows is the tomb of Leonardo da Vinci. Here Mr. Edison gave out an interview to the gaping newspaper correspondents to the effect that Leonardo was the outstanding mechanical genius of his time, inventing many useful devices and anticipating others. He did not mention that Leonardo was also an artist on the side, either because he did not know or because he did not consider it important. The newspapers commented on the omission, and *Collier's Weekly* sent Julian Street to interview Mr. Edison's chum, Henry Ford, because what these two men say on any subject makes newspaper copy. The substance of Henry Ford's remarks was that he would not give five cents for all the art the world had produced. And the *New Republic* capped this naïve observation with the comment that one needed but a glance at the Ford car to believe it.

Henry Ford is cited here merely as an illustration. His frank and blunt statement expressed the opinion held

by most manufacturers at the beginning of the era of mass production and industrial efficiency, though few were so honest. Art was something for museums. They endowed museums out of the money they made, and some of them even accumulated private collections. Those with a weakness for beauty were tempted to conceal it, lest they be suspected of unfitness to have a place in the practical, hard-headed, efficient world.

Back in the mauve decade, or the gay nineties, new inventions and discoveries were transforming our industrial system, but when a manufacturer produced a machine that worked he stopped. It never occurred to him to go on and make his device pleasant to look at as well as efficient. It must have been the persistent influence of the Puritan tradition that made manufacturers so suspicious of beauty and gave them such pathetic faith in mere ugliness. Beauty somehow seemed antagonistic to integrity. They managed in those days to reverse William Morris's dictum. They seldom found it necessary to make a thing beautiful in order to make it useful.

It was in those days that Henry Ford began making his famous car. It was

an honest piece of work, a motor car that functioned, at an unbelievably low cost, though it did violence to three senses, sight, hearing, and smell; but people in those days were unable to forget long enough their wonder that the thing should be to mind the intrusion of more ugliness into a world that was losing peace and silence and the beauty that inheres in old things. And so the Ford car was put out, and chugged along faithfully on all our roads. The public laughed at it and christened it 'Lizzie,' but bought it and used it in increasing numbers, and Mr. Ford rested secure in his belief that he had solved one of the major problems of human existence and that there was nothing more to be done.

There is no doubt that Mr. Ford was sincere in what he said about art. He believed that the homeliness of his car was one of its virtues. He correctly read the minds of his fellow citizens, who suspected that mere prettiness camouflaged the fact that sterner virtues were lacking. The Ford car was homely, but it did its work. And standing firmly on this belief Henry Ford broke all records of production, distribution, and sales in a country where such things are a religion.

About this time Mr. Ford was waited upon by the research expert retained by a publication to study the changing habits of people and their effect on markets for goods. The inauguration of such bureaus of investigation marked the beginning of a new era in business — the application of scientific methods of research to manufacture and distribution. The purpose of this bureau was to render a constructive service to business as a preliminary to selling advertising space in the publications to which the expert owed allegiance. He had just completed an exhaustive survey of the trends in the motor-car market and had gone to Detroit to lay

his findings before Henry Ford. The survey comprised three important conclusions: the manufacture of motor cars would in the future be concentrated in the hands of fewer organizations; woman would be an increasingly important influence in the purchase of cars; beauty in line and color would be the determining factor in selling cars. Mr. Ford's comment was that none of this concerned the Ford Motor Company, and he continued serenely on his way, producing his marvelously efficient car in increasing numbers and selling his product without difficulty.

Meanwhile the making of motor cars passed into its second phase and came under the sway of the cult of beauty. Mechanical improvement had reached its perihelion; the lower-priced cars were becoming dangerously efficient, and it was necessary to do something to justify the price asked for the more costly ones. The big cars were made more sightly. And then we had large gorgeously appareled cars at high prices, and small ugly useful cars at low prices. The car with the long wheel base and the stream line became the symbol of wealth. The stubby car which continued to retain the graceless lines with which it was born was the symbol of homely worth and modest circumstance. Under its humble exterior there beat an honest motor. Then Walter Chrysler showed that it was possible to make a small car beautiful, and motor manufacturers realized that people did not demand big cars, but merely cars in which they could take pride, and the growing congestion of our streets made occasion for a shorter wheel base. Manufacturers began experimenting with small cars of better appearance.

Inspired by this tendency, the Chevrolet Company added design and color to mechanical efficiency, and then for the first time in the history of the

motor car the output of the Ford Company was exceeded by a rival manufacturer. The Chevrolet Company produces more cars than Mr. Ford, and beauty has become a commercial talking point.

For some months the newspapers have been asking what Mr. Ford is going to do. The probability is, though this prophecy may be either confirmed or controverted by the facts before this paper appears in print, that Henry Ford is asking himself the question: Just what has beauty to do with the sale of a motor car?

For the business of making and selling things must add a new facet to its polyhedron. By the irony of circumstances the type which the manufacturer must now emulate is old Leonardo da Vinci himself, who combined to a rare degree the practical and the imaginative qualities, and whose achievements ranged from the wheelbarrow and the double-spiral staircase at Blois to La Gioconda and the Last Supper.

II

Up to the beginning of the great industrial era of machine-made things, mass production, nation-wide distribution and advertising, most of the implements and furniture with which we performed the act of living were made by hand, and things made by hand unconsciously acquire a certain element of beauty.

Consider how satisfying are the shapes of some of these old things — a coach, for instance, or a spinet; a sickle or a ladle. The humblest utensils of our grandfathers are preserved in museums to-day, partly, of course, for the historic associations, but mainly because they have a certain charm. And gradually all that charm vanished. The hand worker who controlled every step of the thing he was making was

replaced by a machine minder who had nothing to do with the design. The directing minds, absorbed in the new wonder of so many things made so easily, ignored the fact that it was just as easy for a machine to stamp or print a good pattern as a bad one, and by some perversity nearly always chose the bad one, and aggravated that fact by producing the bad design in incredible quantities. The public, tickled to get so many things so cheaply, accepted them without question, and thus we had a depressing period when, in New York City, brownstone houses were built literally by the mile, and country houses were of two stories, mansard roof, and cupola, with cast-iron dogs and deer on the lawns, and furnished with horsehair sofas, flowered Brussels carpets, gilt-embossed wall paper, and ormolu clocks under glass bells on the mantelpieces above imitation fireplaces.

We passed from the hand to the machine, we enjoyed our era of the triumph of the machine, we acquired wealth, and with wealth education, travel, sophistication, a sense of beauty; and then we began to miss something in our cheap but ugly products. Efficiency was not enough. The machine did not satisfy the soul. Man could not live by bread alone. And thus it came about that beauty, or what one conceived as beauty, became a factor in the production and marketing of goods.

The first influence in this regeneration was perhaps the advertising artist. Advertising is a pioneering profession, earnestly concerned with keeping ahead, struggling always to find new mediums in which to express something that has not been expressed before. It seized upon the power of the artist to say things which could not be said in words, and thus a large group of men trained in artistic standards was brought to work in close conjunction

with factories producing goods. The first step toward making the advertising attractive was to make the goods attractive. It was frequently necessary to introduce the article sold into the advertisement, or at least its package, and most products and packages were so ugly or so commonplace they spoiled the picture; and thus began that steady, unrelenting pressure on the manufacturer to make his goods or his packages worthy of being placed in an artistic setting. Bales and boxes and cans and wrappers and labels and trade-marks were revised and redesigned, sometimes even to the extent of scrapping considerable goodwill that inhered in the old style, to keep up with a growing sense of taste in the consuming public. Such experiments were generally successful and encouraged others; the idea spread, and farsighted manufacturers carried it further.

The impact of beauty was manifest first in fashion goods and vanity products which owed their origin to French taste. They set up examples which the more astute manufacturers were quick to emulate. Future connoisseurs may collect the perfume bottles of the twentieth century as they now collect the snuffboxes of the eighteenth. A new art known as *flaconnage de luxe* has grown up around those delightful bits of glassware, mere containers of merchandise, but designed in sympathy with their contents. Gallé was the French pioneer in beautiful glasswork, but Lalique carried the art further, developing new effects by blowing the glass in metal moulds. To give rarity to certain designs, they were blown in clay moulds, which were afterward broken. The credit for utilizing the more artistic forms of glassmaking to enhance the beauty of the perfume package is due to François Coty, who originated many of his own designs, but is said to have received inspiration and

advice from Lalique. Among the glass blowers producing the artistic perfume bottles that decorate the windows of the drug stores are the Cristalleries of Baccarat, of Nancy, and Viard. In this country the most successful work is the Steuben glassware of the Corning people, rarely beautiful, especially the iridescent effects ranging from opaque blue to almost transparent, reminding the observer of Phœnician and Cyprian examples in the Metropolitan Museum. The Baltimore house of Swindell Brothers is producing some interesting scent bottles, and of our American perfumers Richard Hudnut has experimented successfully with strictly American designs. Indeed, the creation of an American school is part of the artistic plan of several trades, such as furniture, silk, leather, and glass manufacture, following the leadership of John Sloan in his endeavor to disassociate painting from the French tradition.

In applying art to machines we are on our own ground. Machines are native with us, and the effort to beautify them has created a new field of artistic endeavor, as witness the skyscraper, the motor car, the phonograph, and the radio.

Motor cars began to appear in color schemes suggested by the advertisements. The next step was to design motor cars in shapes suggested by artists, and soon manufacturers making cars in the upper price bracket had their own art directors and art departments, as complete and as influential on the product as the engineering department, steadily working to produce that conjunction of utility and beauty which was becoming necessary to make the car acceptable to the public.

Among our new playthings was the phonograph. For a long while it lingered in its ugly box with its blatant horn, and no one minded its hideousness in the strange new experience of

listening to it. It did not occur to us that it was not necessary to affront the eye to please the ear. But the spur of competition compelled the manufacturers to add every improvement they could think of, and when mechanical improvements were exhausted they turned to æsthetic ones, with the result that the great horn disappeared inside, the case took on some semblance of form, designers and cabinetmakers were consulted and period and other designs produced, so that now the phonograph may easily be an addition to the furnishing and decoration of a room. The transformation of the radio took less time. While it is still so new that broadcasting stations have not yet been assigned permanent waves, its makers are as much concerned with giving it an acceptable physical appearance as with lengthening its reach. That is because it arrived in an age in which both manufacturer and consumer are aware that there is such a thing as good taste. We demand beauty with our utility, beauty with our amusement, beauty in the things with which we live. And so the radio has been promptly put in the hands of the designers, to make it, if possible, a thing of beauty and a joy forever even when silent — or especially when silent.

Thus it might be said that good taste passed from the advertisement to the package, and from the package to the product, keeping pace with the growing appreciation of taste on the part of the public due to increased culture and sophistication. Immediately these better-designed goods and packages demanded a better environment in which to be sold, and thus we have a revolution in the furnishing of shops and stores. The old-fashioned store was a stereotype — a long, narrow room with two windows and a door in front and in back, counters down the full length on both sides, with the goods

arranged on shelves behind the counters. No matter what kind of goods was sold, the layout did not vary. Now and then an enterprising merchant painted the front of his shop bright red or bright yellow, but this was due more to a desire for conspicuousness than to an artistic urge. To-day the store has given way to the shop, and in the smarter lines these shops are planned and decorated with all the skill and taste employed in designing a boudoir. The shop front, the tinting of the walls, the furniture, the arrangement of goods — everything has been transformed. The counter is gone; occasional tables take its place. Chairs are arranged for customers in such a way as to suggest the careless grace of a drawing-room. Everything is done to create a setting for the new style of goods. You see this in every industry. It might naturally be expected in the trades that cater to fashion, but even the Cunard Steamship Company has thought it worth while to build a temple dedicated to ocean travel in which to sell tickets for its steamship lines. When *Æolian Hall* was sold at auction the fact that it had just been awarded the Fifth Avenue Association's gold medal as the most attractive building erected in 1926 increased the price it fetched.

But conclusive proof of the extent to which belief in beauty has penetrated industry is the increasing number of factories of pleasing architecture and with landscaped grounds. The efficiency of beauty as a business force is agreeably confirmed by the belief of some executives that better work will be done in pleasant surroundings, and this belief is manifest not only in the factories but also in the offices, and it is a reasonable belief. George P. Rowell, the pioneer advertising agent, tells in his autobiography how he once lost a large account because he had been so

extravagant as to put beneath the black walnut table which served him as a desk a square of jute carpet. The disgusted advertiser said that he had no confidence in an advertising agent who put on so much style. To-day the office has undergone as great a transformation as the retail shop. Tinted walls, sash curtains, period furniture, stained glass, all the fittings which give character to a private house and which even a private house did not possess thirty years ago, are now almost the rule rather than the exception in offices. We are even coming to believe that the sick in hospitals get well quicker if the walls are painted the right color. In other words, we are just on the threshold of creating a new world on top of our modern industrial efficiency, a world in which it is possible through the much criticized machines to replace the beauty that the machines originally displaced.

III

The application of design and color to useful things has been carried to what might seem extravagant length, except that the results have been satisfactory. The furnace once existed in gloomy seclusion in a cellar filled with dust, ashes, and cobwebs, and was visited only when it needed attention. The modern heater is shaped and painted so that it becomes an object of furniture only a little less attractive than the porcelain stove of German fairy tale, and the cellar is rescued and becomes one of the living, or at least useful, rooms of the house. Even the radiator, that *bête noire* of interior decorators, is appearing in better designs, and the builders of new apartment houses have found it profitable to include practicable wood-burning fireplaces.

The immaculate paleness of the hospital is disappearing from our kitchens,

pantries, and bathrooms. The kitchen cabinet, that amazingly efficient unit with every utensil and ingredient placed at arm's length and arranged in order of greatest use like the keys of a typewriter, is being made in colors to harmonize with the gay tile linoleums of the floors and the figured and decorative gingham of the window curtains. The bathroom, so long the exponent or index number of our civilization, is being lined with colored tiles which are, after all, just as sanitary as the white ones and more restful to the eye, while the tubs and washbasins are exchanging their shapes of bare, cold, characterless efficiency for suggestions of Renaissance and other period designs to which color also adds its cheerful note. These rooms which were once the penetralia of our homes, necessary but ignored, are now show places.

A permanent exhibition of the Crane Company at Atlantic City testifies that open plumbing has become one of the fine arts, with its bathrooms in black and gold, with glass and porcelain wrought in cunning shapes, joining up with the arts of the potter and the glass blower. The evolution of the bathroom is typical. The change from the old tin boxed-in tubs and hand basins to efficiency and sanitation was a practical one. Open plumbing meant cleanliness, and in our pride at our new-found intelligence we rather overstressed the sanitary aspect and produced, as usual, something useful but ugly. Then, as manufacturers realized that there was a new selling argument in beauty and every article of manufacture was being studied from this point of view, it was realized that the necessary furnishings of bathrooms were unusually susceptible of decoration, without sacrificing cleanliness, our first objective. Other trades fell in line. It is possible to obtain towels and soap whose colors match the prevailing tint of the bath-

room, and patterned curtains of waterproof silks for windows or showers.

Perhaps the most thrilling manifestation is what has been done with light. Light simply demands consideration. It adds a beauty of its own to almost anything. Even the tallow candle burning in the night is a beautiful thing. Just as soon as we learned to soften the harsh realistic glare of electricity by means of colored glass, paper, and fabric, and to shape the standards or brackets into beautiful forms, we had a new decorative material of infinite possibilities. The smallness of the wire that carries the current adds to the freedom and plasticity of artistic treatment. The unwieldy nature of gas pipes long delayed the redesigning of lighting fixtures, and gas for light flourished in the age of ugliness. Perhaps nothing more hideous than the old two-pronged ceiling fixture was ever devised.

One might say that, after all, the home and its furniture constituted the natural field for improvements such as these; but what do you think of this? One of the Eastern railroad companies, according to an editorial in the *New York Times*, has just put into service twenty locomotives which are gay in green and gold, with maroon trimmings. One used to hear such expressions as 'the Pullman Palace Car School of interior decoration.' But now, not only do new cars show a consciousness at least of a simpler and better taste than that of the generation in which railway cars were born, but the engine which pulls the train has begun to adorn itself to appeal to a more sensitive public.

An indication of the amenability of railroads to purely æsthetic arguments was the gratifying promptness with which the New York Central accepted the suggestion of the Bronx Parkway Commission about one of its bridges.

The normal efficient railway viaduct is two steel I-beams resting on rectangular pieces of concrete. The commission pointed out that such a bridge would be a jarring note among the springing arches and sweeping lines of the parkway bridges. The railroad changed the design of its bridge to one in sympathy with the setting and gained distinction by the act. And, while the act was a gracious and generous one, it was also an economically sound one, merely giving a broader meaning to the word 'service' and interpreting it in the new spirit of the age. These things note the mere beginnings of a movement the ultimate result of which will be that future industrial development will find it unnecessary to disfigure a landscape. Beauty is a greater force in human affairs than steam or electricity, than economics or engineering, and the meeting place of all can be found, for in fact it is being found.

There is behind all these changes simply the desire to sell. Beauty is introduced into material objects to enhance them in the eyes of the purchaser. The appeal of efficiency alone is nearly ended. Beauty is the natural and logical next step. It is in the air. When choice rests between two articles of equal utility, it veers toward the more attractive, as is shown in the case of Fords and Chevrolets. Moreover, in the new contest of beauty the possibilities are greater than in the contest of efficiency. In beauty the sky is the limit.

This remarkable turn of the industrial world toward beauty in design and color is not really a new thing. It is merely the size of the movement that is startling. From the earliest days the making of things followed the same process, but at a slower pace. Each new implement or tool was crude in its first conception, was refined and took on the semblance of design as

soon as its usefulness had reached the maximum. The first wheel, the first jar, the first bench, were not those that we know. The potter made a vessel that would hold water, but he carried the idea no further. It was a second step to realize that the bottle or jar could have a pleasing shape. These little processes of evolution have gone on following the introduction of each new device. But here we are in the midst of an industrial age with new devices, machines, utensils, coming forth in a flood, but going through the same process — first utility, and then beauty added, as each one goes steadily forward to that final happy and pleasing shape which satisfies. In fact, if it is true that there is in all of us an inherent craving for beauty, we may rest confident in the assurance that each new ugly thing that is hurled at us by the machines will, under the softening influence of time, use, demand, and competition, evolve into something better to look at.

IV

The effect of beauty in distributing goods is interesting from its economic aspect when we consider what is coming to be known as 'styling' the goods. When we speak of style, we usually mean a quality which makes a thing popular, with the corollary that popularity will soon cause it to cease to be stylish. Style flourishes best in a civilization in which a small class practises its rites and a large class stands enviously outside, barred by financial considerations and social ignorance from participating. What has happened, apparently, is that many more people have become conscious of style and the style idea has been extended to many more articles than were included in the original indictment.

This means that this new influence on articles of barter and sale is largely

used to make people dissatisfied with what they have of the old order, still good and useful and efficient, but lacking the newest touch. In the expressive slang of the day, they 'date.' People buy a new car, not because the old one is worn out, but because it is no longer modern. It does not satisfy their pride. They refurnish the house, not because the old furniture is unable to perform its duties as furniture, but because it is out of date, out of style, no longer the thing. You cannot produce this state of mind by mere efficiency. You cannot make people substitute a new car that runs well for an old car that runs well unless it has some added quality. The new quality must be borrowed from the realms of good taste — smarter lines, newer design, better color, more luxurious upholstery, more art, or at least more taste.

Within strictly material limits the machine apparently can do anything. It is only a question of time when the most perfect motor car made can be reproduced at a fraction of its present cost. Mechanical knowledge is a tangible thing, easily acquired or imitated; but that intangible something which art gives, that creative, imaginative power, has no appreciable limits.

Much of the art influence which is transforming business is what is described, not very lucidly, as the 'new art.' The new art is the product of those men who are determined to break with tradition and produce art exactly as was produced that art which is now the tradition. They believe that art should reflect the age, especially an age which has introduced so many new values. The modern school of artists insists that we must have art that grows out of our life, not out of the life of a dead-and-gone era subject to influences so remote from to-day, and they are producing that art. It is logical that business should prove susceptible to

these new art forms, because, in a way, both are the result of the same set of causes. Both the industrialism and the art are modern. The forces that are making our fast-paced, bright-colored, sharply defined civilization are producing our modern art.

It is also natural that modern art should enter business by the door of advertising. Commercial art began when all art was still subject to the old academic tradition; but, as advertising is the most sensitive and mobile of all business forces, it was the first to feel the innate appropriateness of the new forms to express the spirit of modern industrialism.

When advertising first took up art to help make its message clearer, it was difficult to interest the artist. The artist of that day considered business beneath his contempt. But as time went on better artists became interested because of the greater financial reward, the larger opportunity, the better understanding between manufacturer and artist, the improvement in processes of reproduction; and so a race of artists was developed of remarkable dexterity. At first it was desired only to attain realism, but at length realism as a technique was so mastered that nothing more could be done. The magazines were filled with color pages of honest, sincere, straightforward painting that was, to use a commonplace phrase, lifelike. A dead line was reached, the dead line of excellence. By then the new art had arrived, the school of the more independent artists, trying to shake off bonds of tradition and strike out in new and unknown worlds of imagination, and this impulse was reflected in advertising design. The new art was imaginative rather than realistic. It attempted to suggest rather than to show. And these young men subsidized by business, stimulated by both money and

opportunity, have done some very wonderful things, and have gone so far in their advertising creations as to make one wonder whether the public or any great part of the public can follow.

In the creating of this new business art the man who stands first is René Clarke. He was the first to feel its import to business. He has been happiest in finding that meeting point halfway between the utilitarian demands of business and the unlimited and undreamed-of possibilities of an art that is even now creating its own technique. Especially noteworthy has been his skill in creating patterns of compelling beauty of such common homely units as tin cans of vegetable oil, fried eggs, vegetables, rolling pins, and skillets. This power of seeing patterns in new compositions of the things around us has profoundly influenced the designing of book covers, packages, textiles, and even architecture.

One remembers with what a blare of tom-toms the new art burst on this country a few years before the war. In an armory in New York City about fifteen years ago was held a monster exhibition of the first showings of the new tendencies, largely imported, but with some contributions from the more advanced rebels in our own country. That was the time when such names as Piccabia, Picasso, Du Champs, Gauguin, Cézanne, Redon, became known on this side of the ocean. The exhibition was a riot. For days that vast armory was crowded with puzzled, giggling, startled, scornful, unbelieving people, who felt, some of them, as if the familiar world were tumbling about them. Shortly after the exhibition closed there appeared in the newspapers of New York a page advertisement announcing the first showing of gowns influenced by the new art to be made at a series of séances in the

Wanamaker auditorium. The day was cold and rainy, but the four exhibitions crowded that little theatre to its capacity. It was natural that a new art movement should register first in dress fabrics, although it was a little forward-looking to seize so quickly so new an art form. But the astonishing fact is this, that the newer art forms are now being utilized by manufacturers whose goods are remote from those ordinarily influenced by style.

Modern color and design are styling not only products hitherto in the style class — silks, prints, fabrics, textiles, gowns, hats, shoes, and sports clothes — but social stationery, foods, motor cars, building materials, house furnishings, book bindings, interior decoration, furniture, and bric-a-brac.

Some of the new silk designs admirably express the modern spirit. At first glance they appear to be just what they are, sprightly patterns, produced by repeating some simple motif. But the motif, instead of being the old romantic one of a leaf, bird, spray, or scroll, is some bit of our modern life, a map of New York City, a couple dancing the Charleston, 'Gentlemen Prefer Blondes,' a graph or statistical chart, the windows of skyscrapers at night, or a group of steam cranes. Beauty may be discerned in unexpected places. It already exists even in our machine-made age. The present ingredients are being assembled in new patterns which will eventually change the aspect of the world around us. Design and color are used to give them modernity.

V

You may ask, where are all these evidences of beauty in modern business? If the influence of art on machine-made products is so great, why do we not see more of it? It is true that the production of ugliness still outstrips

that of beauty, and the machine works so fast that time must elapse before new standards applied at the source are evident in the distribution.

But the consoling thought for us bystanders is that there is now an economic reason for beauty. Art is indicated as a selling argument. Among other things it means that the artist is going to have a better market for the products of his imagination. Buying pictures to help the artist, or endowing art galleries in order that the public may have an opportunity to see beautiful things, is after all a makeshift. Subsidized art is of its very nature impermanent. It exists only through philanthropy. If art is the vital force in our lives that it should be, it does not need to ask favors. It does not need to depend upon charity. The only art that can survive and grow is art that is related to our life and our needs, and that has a sound economic foundation. It is far better that the world in which we live, our cities, our buildings, and our rooms, to say nothing of our landscapes, should be beautiful with the beauty that comes from appropriateness than that we should buy pictures unrelated to anything in our lives and hang them on our walls, and thus attempt to introduce a little vicarious beauty into ugly surroundings.

The slow but unmistakable turn of industry toward the creative arts means a future stable market for the artist's effort, putting him on a sound economic basis comparable to that of the chemist, the engineer, the economist, the statistician, and the efficiency expert, all of whom have been drafted by business as business grew beyond the specialized skill of the business man.

When a conscious attempt is made to collect and assemble at one place samples in any industry that have

received the benefit of taste in their manufacture, the effect is an impressive one. Each year the American Institute of Graphic Arts holds an exhibition called 'Fifty Books.' Each year that number of books is selected from the products of different publishers, chosen entirely on standards of good bookmaking, with no attention paid to their subject. Not only does each exhibition show that surprisingly good books are being made, but the history of the six exhibitions so far held shows how much the exhibitions themselves have contributed to producing material for future exhibits. The first year only two publishers voluntarily tendered exhibits. With great difficulty and by personal effort enough books were assembled to number fifty. This year 550 books were offered, and the fifty selected were better examples of the art of bookmaking than those shown six years ago. These exhibitions travel from place to place, and are being shown somewhere throughout the year. For the last two or three years it has been necessary to supply three duplicate exhibitions to comply with requests for local showings. Nor is it a purely æsthetic triumph. Publishers who have commissioned such printers as Elmer Adler, Bruce Rogers, or Berkeley Updike to make their books have learned that there is a market for the well-printed book, and have learned especially that better taste applied to the ordinary commercial book has an influence on its sale.

In a larger field the work of the Metropolitan Museum is significant. Some years ago, under the direction of Richard F. Bach, associate in industrial arts, it was arranged that the Museum collections could be used by manufacturers as a laboratory of design. Each year there is held an exhibition of products, made under ordinary commercial conditions, inspired by museum

pieces. Like the Fifty Books, each successive exhibition showed a wider range of the creative power of American designers. Recently the restriction that the pieces exhibited should be museum-inspired has been removed, making it possible to introduce examples of the newer art not found in museums, but growing out of the life around us.

Recently the Art in Trade exposition sponsored by Macy's department store in New York City showed examples more in the modern spirit. Here were silks, furniture, upholstery, glassware, pottery, full of the life and movement of modern design and color, shown against backgrounds designed by Lee Simonson, planned in the same spirit, which revealed in a small way what can be done by manufacturers to give their products beauty in harmony with the age.

The significant thing about all three of these exhibitions is that, when commercial products transformed by taste are gathered together, the aggregate is impressive, especially when, as in most instances, the products shown are not exhibition pieces made for a special purpose, but the commercial product which is being regularly manufactured and sold.

There are also other signs that sordid business is awakening to the importance of good taste in creating a wider acceptance for its goods.

The New York Building Congress awards gold buttons and certificates for superior workmanship to workmen in various trades engaged on New York skyscrapers. Now there is talk of forming a group consisting of the financiers who furnish the funds for large buildings, the real-estate men who promote them, and the architects who design them, to exercise some control over the sky line of New York City, and especially to do away with the un-æsthetic and stupid practice of building

a tall structure with a front façade facing the street inconsistent with the cheaper treatment of the sides and back. The setback, dictated entirely by expediency to avoid making dark canyons of our streets, has shown promise of great beauty, and it may be that the imaginative conceptions of Hugh Ferriss will some day be realized as actual buildings.

The *New Yorker*, that little weekly which has been making such sprightly comments on the life of our largest city, discusses new buildings in a department of criticism exactly like the older and more conventional departments devoted to other arts, a practice which it is hoped will become general. What is needed most now is intelligent criticism of commercial products, which we are just beginning to have in some quarters, so that there will be a standard of taste, and also that the manufacture of goods may be recognized as an art, as it so easily can be. But while intelligent criticism of this new industrial manifestation is desirable, the real test is the buying and consuming public.

It is by no means beyond the realms of possibility that such organizations as the United States Steel Company, or the Pennsylvania Railroad Company, will have art directors whose work will be to style the products of these concerns in the æsthetic spirit of the age. Already the General Electric Company maintains a committee on beauty, with a representative from each department. That a corporation engaged in manufacturing products of technical and engineering qualities should maintain a research laboratory to follow and develop the scientific possibilities of the things it makes has been an obvious course and excites no surprise, but it is significant that the same ambition that demanded a scientific laboratory should also demand a board of beauty. It means that

nothing we make — particularly and especially the things which are the outgrowth of our remarkable mechanical and scientific efficiency — is beyond the need or the possibility of the refining touch of good taste.

It is to be hoped that manufacturers in the search for design to beautify their products will start with a clear conception of what beauty is, especially beauty in an article of use. Beauty is original. It is found in the thing itself. Good design is never imitative. You cannot take it over from something else. You cannot take a Greek temple and make a library, a Renaissance palace and make a railway station. You may produce a beautiful and exotic building, but it will lack the deeper beauty of appropriateness. Good design is produced only by studying the article to be treated, its use, its purpose, so as to shape and color it to suggest unerringly that use and purpose. It must make the thing beautified newly significant. We are helped in this if we are able to observe the beauty that already exists in the industrial world around us. We must acquire the new point of view, aided by the undeniable affinity that exists between some aspects of modern industrialism and some aspects of modern art.

Not only is art influencing business, but business is influencing art. Joseph Pennell, who railed unceasingly at this industrial world of ours, its factories, its advertising, its commercialism, contradicted himself with his etcher's needle by portraying the beauty that so often inheres in the steel skeleton of a skyscraper, or in a steam shovel eating its way into a vast excavation, or in a row of smoke-hung factory chimneys across the evening sky. The surest guide in divining new beauty in machine-made things is to grasp and interpret the beauty they naturally and intrinsically possess.

WELCOME, STRANGER!

A TRIBUTE TO ELLIS ISLAND

BY A GUEST

I

I AM English. My name is Agnes Miller. My home, in Saint-Anne's-by-the-Sea, near Preston, Lancashire, had been broken up by the death of my mother and my health depleted by twelve years as a nurse, beginning with the strenuous years of the war. It was deemed advisable that I have several months of rest and change. England is a sad place for me, for the war took heavy toll among my friends. Relatives, girlhood sweethearts, brothers and husbands of my women friends — so many are gone that under the rouge of our gayest moments there is a complexion of settled sorrow.

I turned toward America, fresh, vital, buoyant young country that she is, her face showing hardly a line of grief, where England's whole visage is haggard from the struggle in which our men fought side by side for a common cause. Your soldiers came over to us, gorgeous youths as fresh as paint, tearing into the war like a football team into a game. And they went home, those that were left, trailing clouds of glory which we do not forget.

Something about those soldiers of yours, a suggestion of pure air, of wide horizons, of peace and a plenty which does not enervate, mingled with memories of a happy American visit some years before, made your shores seem to me the most desirable place in the

world for spending a holiday. One of my sisters had gone, with her husband, to live in America, and although he was in the employ of an English firm (Price, Waterhouse and Company, accountants) my brother-in-law had conceived it to be only sportsmanlike to become a citizen and support the country from which he intended to draw sustenance and in which his children would be reared. Such thoroughgoing Americans have they become that we have resented not a little, on their rare visits to England, their attitude of the visitor rather than that of the native Briton. It was to their home in Cleveland that I was going for my vacation.

At first, considering it possible that I might like to live in America near my sister, I wrote to your consul in Manchester asking to be put on the quota. In the very civil letter I received from him I was informed that my name had been entered, but that, owing to the length of the list, it might be a year or possibly longer before I should be called.

As it was imperative that I take a vacation at once, I wrote immediately asking to be removed from the quota and put on the visitors' list. The vice consul promptly replied that this had been done and I set blithely about unwinding the red tape which ties up

foreign travel like yards of ribbon around a Christmas package.

On the twenty-sixth of October I set sail from Liverpool, and, although there were tears in my throat as I saw England fade away in the distance, my heart was high with expectation of the months that lay ahead.

The Cedric is a good boat. As I had heard much commendation of the new arrangements for inexpensive travel, I had taken passage tourist class. The service and cuisine were quite as good as I had been led to expect, and among my fellow travelers were many altogether delightful persons, some from the Continent, but for the most part British and Americans. Our crossing was pleasant but uneventful, and one sparkling afternoon we found ourselves coming into New York.

I was saying good-bye to some acquaintances—old friends, they seemed, after a week of such close companionship—when I heard a young girl say, close beside me, 'Cette place jolie, qu'est-elle?'

It was seventeen-year-old Marie Joliet,¹ who was coming to New York to work in her cousin's dressmaking establishment. The woman she addressed, a big jolly American, understanding, but unequal to replying in French, replied, 'Ellis Island. What do you think of it?'

Marie said that she thought it was lovely, and indeed so did I, as we looked at its clean-cut buildings, its trim gardens. There was something so fair-and-square-looking about its orderliness. I thought how like a fairy dream it must look to the poverty-crushed immigrants who left their old lives behind and came here to build anew. I was leaning against the rail thinking of this when young Vincent lounged up and spoke to me.

'I say, Miss Miller,' he said, 'did you

¹ This name has been changed. — THE AUTHOR

know we're coming in? Are you being met, by any chance?'

'Not by any chance,' I replied, 'but by my friends the Robinsons.'

'That's good,' he said, 'because you'll need a bracer of some kind after the rigmarole of landing in this blessed country.'

'Really?' I said. 'What do you mean?'

'You'll see,' he said, with an air of mock mystery, and lounged away.

The wharf was full of happy people waving, picking out their friends on deck. Passengers were eagerly scanning the crowd for their own dear ones. It had been several years since I had seen the Robinsons, but finally I saw Margery just as she saw me, and we took off the gardenias we had agreed to wear and waved them at each other. Ted called out to know if I could come off at once.

'Oh,' I called back, 'they have n't put us through inspection yet, but I suppose that can't take long.'

'We'll wait here,' he called back, 'and you come off as soon as you can.'

We were all told to go into the dining room and we went, merrily crowding against each other in our excitement and eagerness to reach our waiting friends, to get our land legs under us after the week at sea. We were laughing and talking when we were suddenly made aware of the presence among us of someone issuing orders.

'Come along here and stop laughing,' were his very gracious words. 'If you don't keep quiet I'll keep you here all day. Take off your hats and gloves, stand close, and show your hands.' He wore a black beard and I judged from his accent that he was of Russian extraction. He managed to put into his voice and manner so much that was threatening and disagreeable that I was reminded of the ogres in my childhood storybooks and I was glad

when we had satisfied his demands and were herded into the lounge by our stewards, men who had been our servants on the voyage, become suddenly our unwilling guards.

In the lounge three immigration officials were seated at desks, and, having somewhat regained our spirits as soon as we left the tsar-person behind, we came into this room — some of us, at least — laughing and exchanging little jests. Again we were bidden in no gentle manner to keep still, not to laugh or speak, and to sit down. We were questioned then, one by one, each at one of the three desks. It was my lot to go before a big, dark, clean-shaven man, who was exceedingly disagreeable, to be sure, about the way he put the necessary questions, but who finally said, 'That will do; you can go,' and turned to his next victim.

With a sigh of relief I went to the door and handed my papers to the man who guarded it, one of our dining-room stewards. He looked through them and then said, 'Where is your landing card, Miss Miller?'

'Good heavens,' I said, 'is n't it there?'

'No, Miss Miller. He must have kept it. Did n't he tell you he was keeping it?'

'He said nothing about it. It must be a mistake.'

'It would n't be a mistake. He must have kept it. They're devils to-day, anyhow. I'm sorry, Miss Miller, but you can't land without it.'

'But what shall I do?' I asked. Others were coming up and I was conscious of blocking their way.

'There is nothing to do,' he said. 'You had better go to your quarters and await instructions,' and he turned to the next in line.

On my way to my room I met a White Star man, one of the ship's

officers, and appealed to him in my bewilderment.

'Did they detain you? Oh, Miss Miller, I am sorry. And they did n't even tell you why? I say, that's rotten for you. I wish I might do something to help you, but I am utterly powerless here. We are in the hands of the United States Government, and what it does we must abide by. These officials are like wild men if you give them any — what is it they call it? — "back talk."'

'But is there nothing you could do?'

'I should n't mind risking their fury for you if it would do any good, but it would n't. It might even make things harder for you in the long run.'

'But what am I to do? What will this delay mean?'

'Ellis Island, I'm afraid.'

'Ellis Island! But that's absurd. They can't send me to Ellis Island.'

'Perhaps not. There may be some hitch which will be straightened out. I hope so, for your sake.'

II

I went to my cabin. A cheerless place it was, with carpet up and cleaning begun. I realized that I should feel still more forlorn should I be compelled to stay on the ship all night, for my luggage, including my attaché case which contained my toilet articles and nightgown, had gone ashore. Remembering my pleasant impression of Ellis Island as we came in, I was not at the moment so much concerned with the fear of going there as of having to go to bed without using my toothbrush. My steward tried to get my attaché case for me, but was unsuccessful.

It still seemed to me a joke, albeit an increasingly unpleasant one — my being held for no assigned reason outside the country I had come so far to visit and with such innocuous intent.

I was summoned to dinner in time and there found several other Britishers.

Miss Harrison, a naturalized American citizen who had been at home in England on a visit, was held because she could not produce her income-tax receipt for the previous year. She had explained to the officer that it had gone ashore in her trunk, as she had no idea she would need to show it, and he had refused her permission to have it fetched.

Mrs. Enzer, a Welsh woman in the middle fifties, was coming to spend six months with her husband in North Dakota. He had taken out his second papers as an American citizen, and as soon as Mrs. Enzer's mother, back in Ilfracombe, should die she expected to come to America to stay. Meantime they managed an occasional visit when Mrs. Enzer's sister could relieve her of her mother's care. Mrs. Enzer had been warned that she might have some difficulty and had come armed with a five-hundred-dollar bond as surety, but this the immigration officer, for reasons he did not divulge, refused to accept.

One of the first-cabin passengers, a Mrs. Robertson² from somewhere in Yorkshire, though she had been on the quota and had with her ample proof that she would not become a public charge, found herself no better off than the rest of us. She was coming to live with her sister and nephew, naturalized Americans, and pursuant to their warning she had brought several thousand dollars to ensure herself against detention at Ellis Island.

Then there was old Mr. Bird, and Vincent, who said he supposed he was held because he was broke. Vincent was an Irish mechanic who worked in Brooklyn. He had gone home to visit his mother, who had sickened while he was in England. The young chap had

² This name has been changed. — THE AUTHOR

overstayed his time waiting for her to get better. She died instead, and, what with her funeral expenses and buying his ticket across, he had only a few dollars in his pockets when he arrived in New York and was forced to tell how much he had.

Such was the little group who ate dinner together and then gathered in the library to talk over our situation. The library steward came to me at six-thirty and said, 'Miss Miller, your friends — they are still on the wharf, waiting.'

In my excitement I had forgotten all about them! 'Could you get a note to them, do you think?' I asked him.

He thought he could, so I scribbled that I was detained for some unknown reason and for them not to wait. I was told later that the steward slipped the note into my friend's hand as he brushed by him and said, 'Go outside to read this.' Presently he came back with Ted Robinson's card, on which Ted had written, 'I'll be back in the morning.'

We spent the evening as best we could without even the poor consolation of cigarettes or sweets, for the barber's supplies were under lock and key. Vincent played and sang for us at intervals, for he was a versatile beggar and no poor wit, and bent on doing what he could to lighten the tedium for the rest of us. Despite all his efforts, however, we went rather drearily to bed about eleven o'clock.

Next morning — it was your election day — we were called to breakfast at seven-thirty and then advised that, as the lounge was locked, we should have to wait in the smoking room. There, accordingly, we did wait, and wonder, to the nerve-racking accompaniment of busy winches, what was to be our fate and why.

At lunch a steward came to say that Mr. Bird and Miss Harrison were

wanted. Mr. Bird was presumably set free, for we saw him no more. Miss Harrison came back, almost in tears because of the insulting treatment she had received. She had somehow got her tax receipt and had it ready to show, but the officer before whom she passed refused to look at it. The man behind her in line, an American whom we had known on shipboard, leaned over her shoulder to protest.

'You do not let Miss Harrison explain,' he said. 'She has her paper.'

'What's this man to you?' demanded the officer, and turning to the man he said, 'Why do you take such an interest in this young woman? You'll find it pays to mind your own business.' And with a few more meaningfully pointed questions he sent her back to us prisoners, as we were beginning to call ourselves.

By lunch time we were feeling woe-begone enough. Where were my friends, and to what inconvenience was my plight putting them? For I knew they would have been busy upon my behalf. What would my sister in Cleveland think at receiving no message from me when the boat landed? A thousand questions to which I found no answer added to my unrest. Only Vincent, of us Britishers, kept up a show of mirth, and all his jokes were tinged with sarcasm and had a tendency to be said from one corner of the mouth and directed at 'the land of the free and the home of the brave.'

After lunch the library steward came to me and reported that Mr. Robinson had been on the wharf since eight-thirty in the morning. I went up to one of the writers from the purser's office and asked if he could get a note to my friend ashore. The lad replied that he thought he could, and when I handed it to him he went over to a sailor and asked him to carry it for me.

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At that an immigration officer appeared from nowhere and execrated him roundly for trying to help a detained prisoner to communicate, and threatened to report him and make him lose his job. I took the note and held it open to the officer, saying, 'Please read this, and you will see that the boy was not assisting me in anything nefarious.' No good. He not only refused to read the note, but repeated his threat of dishonoring the lad with his employers.

As soon as he had gone the sailor, who had a middle-aged, shrewd, kindly face, said to the boy, 'Sonny, this means your job. You'd better get to your boss right away and tell your story first.' Then to me he said, 'I think you can talk over the side to your friend if you go to the rail and beckon him to come in close.'

This I managed to do, and Ted shouted how sorry he was for whatever blunder caused me this mess, and that I must not worry. He was doing all he could and would eventually get me out, though I might have to go to Ellis Island before he could accomplish it.

Then I went to the purser's office again and asked if there was any way in which I could send a wire. The writer said he thought not, but just at that moment a Western Union boy came along the deck with his hands full of telegraph blanks and I rushed up to him.

'Could you send a message for me?' I asked.

Yes, to be sure he could. To my sister in Cleveland? Yes. A message would cost perhaps seventy-five cents — he was n't sure. Much relieved, I filled the blank, which would at least reassure Mab. Doubling the fee in order that the boy might be well repaid for befriending a lady in distress, I turned to the youth in the purser's

window for congratulations upon my coup.

To my disappointment he did not seem enthusiastic. 'Did you give him money?' he asked.

'Yes. A dollar and a half. Why?'

'I would n't trust him if I were you.'

My sister never received the wire. Whether the Western Union boy was dishonest, or whether the message was stopped by your system of espionage, I do not know.

We learned that the officials had gone ashore at four o'clock, that it was election day in the States, and that this had something to do with the officers being so surly. They were impatient to get ashore to vote. (Americans always laugh when I tell this. They say that could hardly account for it — that no American takes his voting seriously enough to upset his equilibrium.) We further learned that thirty steerage passengers had been detained and that the people who had come to meet them had caused a near riot the day before, crying, 'Give us our Maggie'; 'I come to get Lizzie O'Malley and she's comin' off that boat or by Saint Patrick —' shaking their fists in the officers' imperturbable faces.

About five o'clock a man came up to me and asked if I were Miss Miller and I confessed as much, although the air of mystery and ill omen about everything was beginning to get on my nerves and I did not like to admit anything to a stranger.

'Well,' he said, 'Mr. Bartholomew telephoned me to see that you are all right.'

Wearily, I took it for what it was worth. Not very much to me, for I had never heard of a Mr. Bartholomew.

Dinner was a constrained meal, for the immigration officers were present. And the evening and the morning were the second day.

III

Wednesday morning we were given breakfast at seven, and at eight we were marshaled to the gangway and across the pier. We went through the customs and I was able to possess myself of my hand luggage. Then, in charge of two uniformed men, we were herded — cabin passengers, tourist class, and steerage — into a barn-like, miserably unventilated room with paper coming off the ceiling in strips, there to await the ferry for Ellis Island. It was then about eight-thirty and we were told that it might be twenty minutes until the ferry came.

The twenty minutes lengthened into an hour, an hour and a half. It was very hot in the room and the body smells of thirty steerage passengers, unwashed and excited, did not add to our comfort. I began to be dizzy and afraid I should faint, and I asked one of the guards if I might go outside. He said I might and grudgingly designated just where I might wait. I sat on a trunk and there a man came to me to say that Mr. Bartholomew sent word I was to be treated right, but that he was powerless to help me. I was by this time too tired to be mystified by the recurrence of the name of this unknown friend.

We waited three mortal hours for the ferryboat and when it came we were all but shoved aboard, bidden to sit down, and given apples to eat. Ellis Island lay waiting for us, very pretty in the sunlight with its good buildings and its gardens. Miss Harrison whispered to me that it did n't look such a terrible place. She whispered unconsciously, I think, because of a feeling that the guard might have some objection to our little exchange of commonplace remarks.

We were marched, when we reached shore, into a big hall which seemed

quite full of people all sitting disconsolately on benches, as if they were in some newfangled anteroom to Hell. They conversed in hushed voices. I felt sorriest for the children and the mothers with small babies. At four o'clock men came around with baskets of sandwiches and coffee in paper cups. The sandwiches were huge, coarse affairs. Miss Harrison, still at my side, whispered again, 'I can't eat this, Miss Miller, I simply can't.' 'Eat it,' I advised. 'You can't tell when we'll have another chance at food of any kind.' And I ate mine.

About fifteen minutes after that my name was called out: 'Agnes Miller!' and I was directed to go to the second of three desks at the end of the long room. There I was asked some routine questions — what was my profession, where I was trained, how long I intended to stay in America — and given a little ticket which I slipped into my glove, and a square of unprinted orange cardboard which had to be pinned to the lapel of my coat. From there I was sent through a sort of turnstile and upstairs into another huge hall.

This room was provided with benches and the walls were lined with shelves divided into cubicles, wherein we were bidden to put our luggage. The chamber was under the care and dominion of an enormous Negress called the matron. She advised Miss Harrison to put her things on a high shelf so that they might not get wet when the women scrubbed. From this we deduced that they would be there all night. Among the strange faces in the room we saw one familiar to us, that of young Vincent, who beckoned us over to his bench and sat down facing us. 'Siberia at last!' he said, grimacing.

With Vincent was a youth named Fisher, who, like Vincent, had overstayed his time in England because of

his mother's death. He faced deportation, but, also like Vincent, put as bright a face on the situation as he could.

We sat and sat, discussing our plight in low tones, until, at five o'clock, a sort of tea was served in the dining room — coffee in cups without handles, thick bread, a kind of thick stew of meat and potatoes. We rallied each other into eating a little of this, and then we were marched back, under guard, to the hall, where we were locked in. There were so many of us by this time that only the women could sit. We were also given a glass of milk and a cracker each at seven o'clock, although the men got none. Then we were herded to bed — eight women to a room — and locked in. We were tired enough to drop and thankful to see that there were a toilet and a bowl for our use, and that on each bed there lay a little square of white cloth for a towel and a tiny cake of white soap.

Unfortunately there was a grating in the ceiling over our heads and someone peered through it every little while — an espionage perhaps necessary if we had been disposed to plot or throw bombs, but not conducive to the comfort of eight weary travelers who by this time asked only the boon of sleep. There were crumbs and hairs in the beds, mute witnesses that others had gone before us there, so we did not undress, but wrapped ourselves in our coats and lay on top of the cots. So exhausted were we that we fell asleep almost instantly, only to be wakened at nine o'clock by a banging open of the door and a raucous voice booming: —

'Everybody here well? Anybody want to see the doctor? Anyone want to see the doctor?'

The gracious individual who thus woke us from our first sleep (it might mercifully have lasted all night but for him) then banged the door to and locked it with a key that grated.

Whether it was he or some other who sat guard by the door all night and blew his nose every few minutes I cannot tell you.

At five-thirty next morning we were ordered to get up, dress, and sit on the benches outside our cubicle, after which we were bidden to follow a guard who led us back to the hall with which we had become familiar the day before. There we met our friend Vincent and learned that he had fared worse than we, because the men had bunks in one big hall where he slept with a Negro above and another below him, with almost every nationality under the sun in the shelves about. At seven o'clock we were called into the dining room and given a plate of scrambled egg, a cup of coffee, and a pear.

There were, we learned, twenty-two cabin passengers detained from the *Celia*, and as discomfort, like prosperity, makes friends, we fell to chatting with these strangers and heard from them some of their own dilemmas and the story of several notable cases on the Island.

Such was the case of Annie Sweeny, an Irish peasant girl who had come over to America to go into domestic service. Her roommate had developed diphtheria on the voyage and Annie was held in quarantine for two weeks thereafter, at the end of which time she was not only subjected to the usual tests for infection, but was compelled to strip and go before a roomful of doctors, old and young. Wounded in the most sensitive part of her peasant's soul, her sense of respectability, she had refused to pass through this ordeal a second time and had up to date been held nine weeks.

There was a pitifully clumsy man who had two small children to care for. The mother had been taken to the hospital upon arrival in port, and he had

not been able to learn the nature of her illness, nor was he allowed to visit her. 'It looks to me,' he said, with an attempt at a smile, 'as if I were doomed to bring these children up on this island.' The little girl's dress was buttoned amiss and every time he tried to right the matter he made a different mistake. The boy, about three, was a ravenous little beast and not content with the breakfast served, so that the father gave him most of his own food.

At eight o'clock we were marched out under guard to take air in the gardens. Not only were we escorted, but there were guards in uniform stationed all about the place. Such a dejected lot were we that I suddenly thought what a life the guards' must be and I asked one of them, who had a human sort of face, 'Do you live here?'

He shook his head and replied, 'Thank heaven, no. Don't wish such a fate as that on me. No one lives here, really. We work in shifts and all go ashore when we're through.'

At ten o'clock — by that time we were again in the big hall — my name was called from the platform and I was preceded down a long corridor by a guard and shown into a small room resembling an English courtroom. The judge's place was occupied by a big bulldog-like man of about thirty, a bobbed and marcelled young woman who appeared to be his stenographer, and an elderly person who turned out to be an interpreter.

The man was smoking a big cigar, which he did not remove while he put questions to the young French girl, Marie Joliet, who had been on the *Cedric* with us. Marie looked frightfully pale, with blue circles about her eyes, and her slender little figure drooped with dejection. The man, whom the interpreter addressed as Mr. Ryan, put questions through the interpreter, and Marie, her voice so low

that I could not catch her words, replied. She was crying, and that seemed somehow hugely to amuse Mr. Ryan. He turned to the stenographer at one point and said, 'She says she's the man's' — here he put his hand before his face and spoke a word I did not catch, finishing with a great laugh.

The stenographer pursed up her painted lips at him and stuck out her tongue. 'She did not. She said she was his cousin.'

Ryan leaned back in his chair and guffawed, looking at the stenographer. 'I'll bet you a box of candy she said what I said.'

'I'll bet you. Have him put the question again.'

The question was put.

'There!' cried the stenographer with a delighted shriek. 'I get my box of candy!'

Finally they had finished with Marie and let her go. Next came an Irish boy who had been sitting beside me. He had rather a lame story, poor lad, about his visa being blown overboard when he was showing it to someone, and he was, I understood later, deported.

'Agnes Miller!' I was beginning to hate the sound of my name. I went and took my turn where Marie Joliet and the Irish boy had stood.

I was asked how much money I had, whether I had it on me, and who my banker was. Also where I took my nurse's training. The answer, 'Manchester,' satisfied, although there are so many hospitals in Manchester that even the astute Mr. Ryan could have learned nothing from that reply.

Finally he deigned to say, 'Well, you'll have to stay here until your sister comes from Cleveland and puts up bond for you.'

'But,' I said, 'if you'll only wire her, my brother-in-law will be glad to put up bond.'

'That won't do. Go back to the bench and sit down.'

I was desperate and took a chance. Surely the Robinsons were here on the Island by this time. 'But,' I said, 'there is someone here who will put up bond for me, if you will only call him.'

He beckoned to one of the attendants by the door and gave him an order. The attendant went out and presently returned with the Robinsons and a man I later learned to be Mr. Wilson from the firm of Price, Waterhouse and Company. They were not allowed to speak to me, nor I to them, but Margery signaled to me as best she could, while the men were in conference with Mr. Ryan, that all would be well. It seems that Ted Robinson's bond, offered the first day, was not acceptable because he was an Englishman. Another friend, Mr. Houston, was refused for the same reason. Mr. Wilson's bond was satisfactory.

Though I was a little reassured by Margery's signal, it was with a sinking heart that I saw my friends leave that little chamber, and I sat for another three-quarters of an hour on my bench with no more intimation of what was to be done with me. At the end of that time I was sent into another room, where a man who spoke a most broken English (indeed the crevasses in it were such that I could barely understand his meaning and I haven't a remote idea from what race he derived) deprived me of my orange ticket and gave me a green one.

Lunch was served in the dining room, and after that all the detainees except Mr. Fisher and me were called back — to the courtrooms, I suppose. Mr. Fisher had not yet been heard. We waited and waited, and finally I asked a charwoman who was busy about the benches what I was supposed to do now. She said, 'You'll have to ask the matron, miss.'

I looked at the noncommittal visage of the colored matron and decided to wait without asking.

At about two o'clock an officer appeared with a telegram in his hand and called out my name. When I answered he told me to get my luggage and follow him. This I did and found myself back again in Ryan's audience room, and lo, there were Mrs. Enzer and the unlucky Vincent, jingling his insufficient coins in his pocket and making a wry face over the situation, but still with a ready joke on his Irish tongue.

Mr. Ryan looked up and saw me, then crooked a finger at one of the wardens by the door. The man bent over his superior's desk and received an order, then came to me and told me that if I would follow him he would lead me to my friends. I bade my fellow prisoners good-bye and better luck and followed my guide outside, where Margery, Ted, and Mr. Wilson received

me with open arms. It transpired that Mr. Bartholomew was the commissary for the White Star Line, a client of Price, Waterhouse and Company.

Thus, after a penal servitude the cause of which no inquiries have been able to elicit, I was made free of America for the four months I had so innocently planned to enjoy.

Do you wonder that the keen edge of my pleasure in coming was rather sadly dulled; that the nerves I had come over to rest were so much worse that I involuntarily dodged behind Ted Robinson at sight of a man in khaki, saying, 'Don't let him get me!' like a frightened child?

I had a charming time in your country and met many charming people, but not even their kindness can ever quite obliterate the impression of your national hospitality gained while I sojourned, a guest, on your beautiful Ellis Island.

PERSHING¹

BY CAPTAIN B. H. LIDDELL HART

I

THE phrase 'a 100-per-cent American' has become both a description and a motto since the war. If General Pershing was not the prototype, he deserves to be — for it fits aptly both as a description of him and as a motto for him.

Born on September 13, 1860, near Laclede, Missouri, John Joseph Pershing was destined to as astonishing a

rise from the nadir of lowliness to the zenith of power as Joffre, first commander in chief of the other great republic. And like Joffre this product of democracy was essentially undemocratic. His early years were a perfect fulfillment of the popular picture of the self-made man — as a boy, improving his education in hours snatched from work, then taking a course at the Normal School at Kirksville while supporting himself by teaching in a children's

¹ 'Joffre,' the first paper in this series, was published in July. — THE EDITORS

school. Law was his aim, but arms his fate, for, hearing of a competitive examination for the United States Military Academy at West Point, he turned aside to try for, and seize, the chance of a career free of apprenticeship costs. If the prize seemed likely to be small, the stake was nought.

More mature than most of the cadets, with the habit of command already ingrained through his teaching experience, he was elected president of his class as a freshman, then selected by his officers as corporal after a year, first sergeant the next, and in his last year first captain in the Corps of Cadets. These appointments were proofs more of character than of book knowledge. Physically tough, morally hard, he had come out on top in a rough-and-tumble school of youth, and he inspired more respect than affection. Even when, on graduating, he attained the dignity of commissioned rank, he did not hesitate to cure one case of insubordination with his fists. This, like the incident when, as a general in the pursuit of Villa, he pushed his way into the mess line among the soldiers for a plate of beans and cup of coffee, was later glorified as an instance of democratic habits. In reality it was merely an example of his unceremonious way of going straight for what he wanted by the shortest route and regardless of other people.

This unceremonious, or self-centred, instinct remained with him when he became a world figure and created many shocks in the politer atmosphere of Europe, where opinions might be as frank but were less so in expression. There were times when the language barrier was of value as a buffer. Even in smaller matters Pershing's ways were disconcerting. His disregard of time and appointments was proverbial. If he arranged to dine with one of the Allied commanders in chief, he thought

nothing of keeping him waiting for hours. Pétain, fortunately, came to regard him as an interesting and highly original object for study, while Haig merely went on with his meal. Again, at a ceremonial arrival at a station, — Bucharest, it is said, — where royalty was waiting on the platform to greet him, Pershing was seen by the horrified station master to be in shirt sleeves, shaving. With a promptness which stamped him as a born diplomatist the station master ordered the train to be backed out until Pershing had completed his toilet.

Yet, if a 'rough diamond,' in his cadet days at West Point as in France later he had one aspect in curious and softened contrast — his love of dancing and of dances.

Graduating from West Point in 1886, he was commissioned in the Cavalry and passed almost directly to active service in the campaign against Geronimo, the notorious Apache chief, wherein he earned a mention in dispatches. Henceforward he was to take part in many of those little guerrilla campaigns which were the American officer's sole practical training for the command of the vast forces of 1918, and to win more commendations than any of his contemporaries. Pershing, however, had one interlude of a different nature. After heading a rescue party to save some cowboys from the Indians in 1889 and being in charge of Indian scouts in the Sioux rising of 1890, he retired for four years to the more peaceful occupation of being military instructor at the University of Nebraska, and utilized his spare time to graduate from the law school. At the outbreak of the Spanish-American War he was back again at West Point as an assistant instructor, but resigned in order to serve with a cavalry regiment in Cuba, where he not only won more 'mentions' but attracted the attention

of Theodore Roosevelt and drew this tribute from his Commander: 'I have been in many fights, through the Civil War, but Captain Pershing is the coolest man under fire I ever saw in my life.' Twenty years later a member of Congress cast the slur that he had never seen Pershing within sixty miles of the front in France — an imputation that was hotly resented by many who had seen Pershing at the front and knew the difficulty which his staff had met in trying to hold him back from unnecessary exposure.

With the end of the Spanish-American War, Pershing had a chance to show that he possessed more qualities than mere bravery and energy. Sent to the Philippines, he found time from the trivial job of commanding a troop of cavalry to study the ways of the Moros, a savage and fanatical tribe of Moham-medans who were the terror of Mindanao and regarded as too intractable ever to civilize. His association with them and interest in a matter outside the beaten paths of routine caused jealousy and disapproval among his fellows — until an emergency came. Then this mere captain was called to take a general's rôle and to be not only military commander but administrator of the district where lay the Moro country. By the blend of military force with diplomacy and unexpected sympathy, helped greatly by the fact that he could negotiate with the Moros without the intervention of an interpreter, he brought order into that turbulent country. President Roosevelt paid him the rare tribute of citing his name in a message to Congress, and sought to find a loophole in the hard and fast regulations by which he could be given special promotion. To change regulations is hard enough, but this required the passing of new legislation in Congress, and in the meanwhile Pershing went out as military attaché

to Tokyo. He was just in time for the Russo-Japanese War and was promptly detailed to accompany the Japanese forces in Manchuria, enduring the mortification of being a captain forty-four years of age among foreign generals hardly his senior.

But at last Roosevelt, tired of waiting for the slow machinery of Congress to enable him to give Pershing a step up the ladder of promotion, used his power of creating brigadier generals, but no less, to raise Pershing at a bound to this exalted rank — over the heads of eight hundred and sixty-two of his seniors. It was another example of the common experience, in England as in America, that the only hope of radical reform in the military forces lies in the chance of a dominating personality, seriously interested in military progress, as the political chief — the soldier chiefs have rarely the instinct or the power to break the entwining coils of red tape.

Pershing's jump in promotion naturally caused widespread jealousy, which found an explanation satisfying to its meanness in the fact that before sailing for Japan Pershing had married the daughter of Senator Warren of Wyoming, chairman of the Senate Committee on Military Affairs. It was conveniently overlooked that he had not even met his future bride at the time President Roosevelt cited his services in the message to Congress. Nevertheless the innuendoes were so general that Roosevelt found it necessary to intervene with a statement that 'to promote a man because he married a senator's daughter would be infamy; to refuse him promotion for the same reason would be equal infamy.'

On his promotion Pershing returned to the Philippines as commander of the department of Mindanao and governor of the Moro province — there to complete his work of subjugation and

reconciliation. From the Philippines he passed to the command of a brigade at San Francisco, but when trouble developed on the Mexican border his record made it natural that he should be sent thither. While absent on this duty a disastrous fire broke out in the Presidio, the military headquarters at San Francisco, in which his wife and three daughters lost their lives. It was well for him that duty soon called him to an arduous task in which he could work off his emotion. This was the punitive expedition into Mexico in pursuit of the bandit leader Villa, who had crossed and ravaged the American border. Hampered by the difficulties of the country and obstructed by Carranza's nominal government, Pershing's strenuous and relentless pursuit was finally frustrated by his own government, and on President Wilson's orders he had first to halt and then to withdraw. In such a country such a wavering attitude not only encouraged defiance but imposed an unfair strain on the military commander. But a marked feature of Pershing throughout his career was a loyal and unquestioning acceptance of the dictates, however incomprehensible and irritating, of his superiors. Few would have accepted a task almost foredoomed to failure by its restricting conditions, but Pershing's instinct of obedience was so absolute that he gave the impression that he would sacrifice anything, even his men, rather than disobey an order.

As he was a man of undeniable ambition, this rigid subordination of himself, uncommon among men of such strong personality, probably sprang less from belief in the infallibility of authority than from a farsighted wisdom — smoothing the way for his own ascent. His combined tractability and efficiency won him favor in the eyes of President Wilson. Promoted major general, Pershing was appointed

early in 1917 to succeed, on the death of Funston, to the supreme command on the Mexican border. And in May, after the entry of the United States into the World War, the President announced that Pershing was to go to Europe in command of the American forces. It was to be a dramatic change, particularly in scale, from his previous experience. To pass from guerrilla expeditions in jungle, mountain, and desert to the vast siege in progress — or stagnation — on the French front was a contrast so utter as to leave him destitute of any foundation of knowledge on which to build.

Fortunately he had partaken of other kinds of experience — building roads and schools in the jungle, maintaining a line of communications in hostile territory, bringing order into the disorder of a land occupied by an obstinate and insurgent people.

However different in degree from his new task, this experience had made him a trained administrator; he had acquired the habit of organization with the will and knack to get his plans carried into effect. There is even some ground for the verdict that his unmilitary experience had fitted him for the command in France as much as his military experience had unfitted him.

II

At the end of May, Pershing sailed for France on the Baltic with the nucleus of his newly gathered staff, leaving a semiparalyzed War Department, clogged by its own antiquated machinery and overwhelmed by its unforeseen responsibility, to send on material enough to build a shanty while he was erecting the framework of a military skyscraper. To chide the home authorities for their inadequate and dilatory measures might only lead to the wreck of his dream and the downfall

of himself. It was better that the pressure on them should come gradually from public opinion, growing uneasy over the delay, than from him; meanwhile the Allies must do their best to hold the pass. The latter had imagined that the United States would produce troops in the manner of a conjurer producing rabbits from his hat; instead they found Pershing ploughing the soil and sowing seeds with all the deliberation of a Middle-West farmer who reckons in months, not in hours, waiting tranquilly for the ultimate ripening of his crops. If they were disconcerted by the contrast between their conception of their new ally as a high-speed 'hustler' and the extreme deliberation which they found to be the reality, it was partly because they did not realize the difference between raising an army and using a navy already in existence, and partly because of the difference of outlook and temperament between a General Pershing and an Admiral Sims. If Sims's object was to win the war anyhow, Pershing's was, so it seemed, to win it with an American army stamped with the Pershing seal. If personal ambition was a factor, there are side lights which suggest loftier and more far-reaching motives — to hand down to his country a tradition of military pride, to awaken her to a realization of her own power, to establish the permanent foundations of a national army.

When he settled down to his task after the arrival celebrations were over, — an infliction personally distasteful which he had accepted in deference to the French desire to gain the full benefit of this moral tonic, — he early revealed the keynotes of his policy. It is interesting to recall the impression he made upon his new Chief of Staff, Harbord. 'He is very patient and philosophic under delays from the War Department' — although it took days and even

weeks to get a reply to his cables and even to pass them from one branch to another of that archaic establishment. 'He is playing for high stakes and does not intend to jeopardize them by wasting his standing with the War Department over small things.' Further, the Chief of Staff found him 'very cautious' and concerned with detail to such an extent as to edit and alter every cable and letter that was put to him for signature. 'It is a good precaution, but one which can easily be carried to a point where it will waste time better employed on bigger things.' But, as evidence from every quarter confirms, 'his great fault is the utter lack of any idea of time' — time-blind as others are color-blind. If his concern with detail, most marked in the early stages, was partly inspired by his aim of getting all his staff to think and act as replicas of himself, in order that when the hour of trial came he might be freed from detail, his lack of a sense of time was prejudicial to his own policy. For allies could not but feel that a man who arrived casually at midnight for a dinner fixed at six o'clock would be likely to arrive on the battlefield when the battle was lost. This feeling inevitably led them to question arguments of his for going 'slow but sure' which were outwardly sound; and by creating justifiable uneasiness this defect increased friction, whereas the very incompatibility of his policy with the Allies' immediate needs urged the need of diminishing the other and unnecessary causes of friction. That, despite this, Pershing carried his policy through is a testimony to the strength and force of his character — all the more because he had to deal with men also strong and stubborn in the Allied armies.

When Clemenceau sent a hint, for dissemination, to the French Ambassador at Washington that Pershing and

Pétain did not get on well, Pershing, hearing of it, wrote direct to Clemenceau, telling him bluntly that he had spread a wrong impression. This rebuke from a mere soldier to the chief of an allied state, especially when that chief was Clemenceau, deserves to go on record as one of the boldest acts of the war. Bearding the 'Tiger' might well replace the familiar phrase about 'bearding the lion in his den.'

And, with all his caution toward Washington, Pershing did not fear responsibility. Harbord tells how, not long after his arrival, he placed an order for \$50,000,000 worth of aircraft without obtaining authority, because he thought Washington was too slow. It is a further side light on his methods that he did not cable word of having given this order until it was too late for Washington to countermand it. Similarly, his cable of July 6, 1917, 'Plans should contemplate sending over at least a million men by next May,' and his full project of July 11 which visualized an ultimate expansion to three million, were severe jolts to the War Department, still thinking of a limited-liability war.

The work of building the organization for the army of his vision was a stern test both of Pershing and of his judgment in choosing men — an essential quality in a great leader. As Harbord aptly remarked: 'Officers whose lives have been spent in trying to avoid spending fifteen cents of government money now confront the necessity of expending . . . millions of dollars — and on their intellectual and professional expansion depends their avoidance of the scrap heap.' Pershing's achievement was a tribute not merely to himself but to America — that its atmosphere, or its geography, breeds men with the habit of thinking 'big' and with a mental elasticity that can survive even the

restrictions which its army life imposes.

Pershing, unlike other famous commanders, was neither a puppet in the hands of a clever staff nor an artist of war relieved of organizing cares by technical experts so that his mind might dwell in contemplation of what Saxe termed 'the sublime branches of the art of war.' Pershing had proved himself an organizer and administrator in the Philippines and in Mexico, yet even so the quickness with which his mind expanded to the scale of the World War is a greater miracle than the war expansion of America, which was full of men accustomed by their civil training to 'big business.' And if, when the foundations were laid, he handed over the execution to others, while retaining control, he was but fulfilling the principle on which alone a great organization, once started, can be run. If he gave his subordinates shorter shrift than in the armies of the Allies, he also gave them a freer hand while they held their posts. If this method led to mistakes, it also sifted the grain from the chaff in quick time.

Moreover, he had a real knack in picking his men and a catholicity of selection unusual in the professional soldier. If the choice of Dawes, one of history's most versatile handy men, as purchasing agent of all supplies for the American forces, and later as member and moving spirit of the Military Board of Allied Supply, was the most apt example, Pershing's utilization of the brains of some of the younger professional soldiers in important staff appointments was almost as notable. So also was the use he made of Robert Bacon — former banker, Secretary of State, and ambassador — as his personal liaison officer, for Bacon did more than almost any man to oil the grating machinery of the Allied armies. This friction, often intense, was inevitable

because of the difficulty of reconciling Pershing's policy and America's interests with the immediate interests of her allies. It is absurd to pretend that the motives of any nation are inspired purely by quixotic chivalry. Even in the best, honor and self-interest are mingled, and their rulers would be unworthy of their responsibility if it were otherwise. If in August 1914 many in England called for war out of loyalty to the Entente, and would have gone to the aid of France even if their country had held back, as did numerous Americans; if the mass of England's citizens in taking up arms thought of nothing beyond the pledge to safeguard outraged Belgium and preferred war to the forfeit of this honor, even this is a lofty and enlightened form of self-interest. There is, nevertheless, no question that the wiser heads realized with equal force the menace of a triumphant Germany.

Honor, prestige, prosperity — who can disentangle them? Thus in 1917-1918, if it was natural that France and England, strained almost beyond endurance, should urge that the American drafts be infused into their depleted ranks, and logical that such a combination of new blood and a tried organization would give quicker results, it was also natural that America should decline to lose her identity and sacrifice her national pride by such a merging — tacit avowal of inferiority. And Pershing could also counter logic with a proverb rooted in experience, that 'no man putteth new wine into old bottles; else the new wine will burst the bottles, and be spilled.' Troops will endure much mishandling from commanders of their own nationality, but patience is soon strained when things go wrong under a foreign command. If America's allies had reason on their side in this controversy, Pershing had human nature on his, in claiming

that American troops should be under American command.

III

In the study of Pershing's uncompromising advance toward his own goal lies the main historical interest of his first year in France. Grant is held up as history's great example of a man who, having fixed his goal in his own mind, pursued it unswervingly and with almost unique pertinacity despite all obstacles — and without hesitating over the cost. Pershing, who had other points of resemblance to Grant, maintained his purpose with a determination at least equal to that of Grant, and under difficulties greater in all respects save only that Grant had to drive a tired, Pershing a fresh, steed. Where Grant had a Lincoln behind him, Pershing had far less resolute and clear-sighted support. And Grant had no allies to complicate his problem. A cynic might even say that the war for Pershing consisted of fifteen months' fighting at the rear and two months' fighting at the front.

The first storm signals were hoisted when Joffre, in the flush of his triumphant tour of the United States which coincided with America's entry, was named to 'collaborate' with Pershing. The French had conceived the idea of rejuvenating their exhausted military body by grafting on the gland of America's youth, an operation that would have the advantage of putting an old head on young shoulders, if incidentally it would also contribute to French prestige. Soon after Pershing's arrival in France, Joffre and his entourage made their appearance at Pershing's headquarters, to be welcomed as honored guests. If this treatment appeared to satisfy Joffre, his staff soon showed that they had expected less honor and more consultation, to

become part of the family, not merely guests, and began to ask when the collaboration was to be discussed. But Pershing had 'no thought of engaging any nurse for himself, not even so eminent a one as Joffre.' When this attempt at 'infiltration' was seen to be a failure, the French began a series of more direct advances, reënforced by the fact that they had to supply so much of the material to equip the American troops and even their training camps and schools, which seemed to establish some claim to a voice in the control.

It may be thought, in view of subsequent troubles in repeating the mistakes made by their allies in 1914-1916, that the American leaders were too chary in accepting advice based on experience, but it may also be said that the French would have been wiser not to push their opinions so forcibly down American throats. Most of the Americans came to France willing to learn, but they were sensitive to the suspicion of being patronized. The British, in France at least, seem to have been wiser, or more reserved, and usually waited until their advice was sought.

But the suspicion of patronage was accentuated by the still stronger suspicion of the object behind it — that of merging the American troops in the French army, and so bringing to nought Pershing's dream of a great American army striking the decisive blow. He was willing to examine the French and British systems, to take from each points that he liked, but the finished model was to be definitely American, for good or ill.

With a conflict of aims between two such strong men and blunt speakers as Pétain and Pershing, an explosion had to come before a settlement was possible. Despite polite rebuffs and obvious hints that they were unwanted, the French strove to keep a finger in

the pie by creating numberless 'missions,' until Pershing, losing patience, gave an unmistakable warning of the futility of their efforts by a peremptory refusal of the offer to give him a tactical adviser. It was then that a new method of indirect attack was tried, instanced in Pétain's criticisms to Colonel House of the American system of training and in Clemenceau's letter to Washington. All failed against Pershing's solid front; but if Pershing and Pétain came gradually to respect each other's determination, bickering between the staffs was not extinct.

The British hardly came into the tussle until later; they were not in need of man-power until after the campaign of 1917, when they had exhausted themselves in maintaining the war almost single-handed. The British Government, with the submarine danger past its worst, then offered to supply the ships to bring over one hundred and fifty battalions to be trained and merged in the British forces. General Tasker Bliss, the American member of the military committee of the Supreme War Council, was in favor of this scheme, but Pershing was only willing to use it as a means to his end, and stipulated that complete divisions should be brought over. Despite the gloomy prediction of his allies, his own view was that 'nothing yet justifies our relinquishment of our firm purpose to form our own army under our own flag. . . . There is no reason for scattering them among the Allies as divisions, much less as replacements, except in a crisis of sheer necessity.' That crisis came sooner than he anticipated. The haze of discussion was swept away by the sudden blast of the German offensive on March 21. Faced with the imminence of disaster, Pershing not merely accepted the supreme command of Foch, with the President's approval, but in the generous emotion of the

moment offered him the use of the American troops in France to dispose as he willed, unlimited by any conditions — perhaps realizing that in pursuit of his ideal he had underrated the immediate reality and risked the issue of the war. At the end of March there were five American divisions in France, but in response to the urgent and united appeal of the Allies the dispatch of troops was raised to 300,000 a month — nearly as many as had arrived during the previous twelve months.

This mood of Pershing's passed sooner than the crisis. Lord Reading had obtained from the Washington authorities a promise to send over only infantry and machine-gunners — liquid cement to fill the ominous cracks in the Western Front. Pershing demurred, and as a result of a conference with Lord Milner, the Secretary of State for War, arranged that this stream should only continue until May, and thereafter be regulated to a flow of organized divisions. Happily, by then the worst danger was averted, however narrowly, and Pershing's ideal could develop unchecked into a reality.

His principle of a separate and independent American army was related to another, the two forming the twin pillars of his policy. This second principle, a tactical one, was that of training his men for a war of movement with the rifle as the dominant weapon. The historian may feel less certain that on this point Pershing was serving the interests of his country. Pershing, and most of his officers, bred on open fighting, were aghast at the way in which the other armies, especially the French, had become immersed in trench warfare. Bred also on the rifle, they ascribed this immersion not to its true cause, the battlefield mastery of the machine gun, but to the excessive use of grenades and other trench weapons, and were confirmed in this

opinion by the efforts that they found were being made by the British command to develop the use of the rifle afresh. This appeared to them much more significant than the development of the tank, which might be regarded as merely another trench-warfare device.

Further, they connected the loss of offensive spirit, which they found so marked among the French, with the prevalence of trench warfare and of trench weapons. Both assumptions were true in part, but only the lesser part. For trench warfare and trench weapons had arisen because riflemen could no longer make headway against machine guns.

Inspired by the right idea, but based on false premises, Pershing established the cult of the rifle in the new American army. And believing that it was possible to break through the trench front, given troops full of the offensive spirit, he trained his men for open warfare and attack with all the fervor which the French had shown before 1914. He realized that it would mean heavy sacrifices, but he felt that he had an ample draft of man-power to stake with — so had the French in 1914. In his advocacy of what was sometimes termed the 'Brusiloff system,' — getting men killed in order to get the war over quickly, — he did not appreciate that Russia, France, and Britain had all held the same faith; the first was now bankrupt, the second almost, and the third severely shaken. It was fortunate for Pershing that he had to face the Germans of 1918, not of 1914. If his policy was based on a balanced appreciation of this difference he could claim to be justified by the result, yet fate had an ironical last word, for he thereby thwarted the aim of his own policy of striking the decisive blow, in 1919, with an American army of his own creation taking the major share in the overthrow of the enemy.

IV

His emphasis on the rifle and his belief that victory in modern war could be won by weight of infantry were to have a marked influence on his strategy in the day when at last he was able to turn from organization to command in battle. In the sphere of strategy he thought clearly and directly, if not deeply, and his choice of the ultimate American battleground was fixed in his mind soon after his arrival in France. The British were committed to operations in Flanders and north-eastern France, an area which for all its handicaps — mud especially — was nearest to their home base and gave them the shortest line of communications through the Channel ports. The French offensive operations had all been conducted in the sector in front of Paris, and it was natural that they should concentrate to cover this vital centre. But the easterly sector facing and flanking Metz was obviously the Germans' most sensitive point, because a thrust there had only a short distance to penetrate before it imperiled the whole German front in France — by cutting the eastern end of the great lateral railway from Metz to Maubeuge and closing the Germans' exit of retreat east of the wooded Ardennes region. Moreover, it promised the vital economic effect of releasing the Briey iron region and threatening the Saar basin, upon which the enemy largely depended for his munitions. The choice of this sector, too, was the natural one for the Americans, because it clashed least with their allies' lines of communication and was easiest of access from their base ports in southwestern France.

Pershing had long to wait before his project could mature. On May 28 the 1st Division came into action at Cantigny, to cut the first notch of its

splendid tally; early in June the 2nd Division at Château-Thierry helped to cement the breach made by the enemy's great drive to the Marne; in July and August nine American divisions took part in the counterstroke which marked the tilting of the scales on the Western Front. At last Pershing was able to summon back most of his scattered divisions to engage in the first All-American operation — the reduction of the St. Mihiel salient. Characteristically he made more than ample provision of force for the task. He was right to do so, for a failure would have been a moral disaster, and would have been hailed by the critics as pricking the bubble of his presumption in insisting upon independent command. Prepared with great care and with a secrecy remarkable in a raw army, delivered with a great superiority of force, both in American infantry and in French guns, the converging blow achieved its geographical object of pinching out the salient. If it failed to cut off the retreat of the enemy in the salient, it was not the first Allied stroke which had failed, through delay in orders and blocks behind the front, to reap the material fruits of success.

The strategic exploitation was a bigger issue. Pershing, with forces far larger than he needed for the task and composed of tried divisions, had wished to make the capture of the St. Mihiel salient a stepping stone to an advance toward Metz and the German rear flank. He gained Foch's agreement and the Allied Commander in Chief framed a plan whereby the British were to attack the Hindenburg Line and advance northeast toward Maubeuge, the French to push northward from Champagne, while the Americans were striking northeastward through Metz. Haig strongly disagreed with this divergent direction of advance and

urged that it was essential that all attacks should converge on the main German armies so that each might react more closely on the others. He persuaded Foch to this view, and accordingly the American sector of advance was changed to the Meuse-Argonne, where it would be nearest to the great lateral railway through Mézières and Sedan. Thus the St. Mihiel attack was strictly limited to the reduction of the salient, and Pershing even felt bound by his instructions, from Foch, to refuse Liggett's 1st Corps permission to exploit their opening success by advancing against the *Michel Stellung*, the base line of the salient.

This strategic tug of war between Haig and Pershing, with Foch as the rope, is not easy to judge. It is an obvious principle that a converging attack has greater chances and is more likely to produce immediate results than a diverging attack. Thus Haig had justification in military principles as well as in the need to ease the formidable task of the British in assaulting the ill-famed Hindenburg Line. But Pershing could argue that he was fulfilling the Napoleonic method of thrusting at the enemy's rear, and that success here might have a still more far-reaching effect than a converging advance. It depended, however, on a penetration far deeper and swifter than any yet imagined on the Western Front, and with an untried army this was surely a remote hope. Pershing would seem in this matter, as over the rifle, to have placed more reliance on faith and tradition than on experience.

The outcome was contrary to both opinions. For the British attack broke through the Hindenburg Line, against odds of nearly three to two in force, before the Meuse-Argonne attack had drawn off any enemy divisions from its front. And the Meuse-Argonne

attack failed to break through, with odds of five to one in force. Thus the event proved that there was no need to ease Haig's attack and that it was not possible to fulfill his idea of cutting off the German retreat by a converging advance toward the Ardennes and the lateral railway. And it also proved that Pershing was unduly optimistic of his troops' capacity to sweep rapidly through the German defenses. Yet, in justice to him, it must be emphasized that he had scant time to prepare the Meuse-Argonne attack and to shift his centre of gravity to the new sector; he was thus forced to use only the higher staffs and not the troops tried out at St. Mihiel, and to employ mainly fresh divisions for his Meuse-Argonne blow. Despite their gallantry, these paid heavily for their inexperience, if also for the system and the staple weapon on which their training was based. Their severe check was also due to the Germans' repetition of the method of elastic defense — with the real resistance some miles in rear — for which the attackers were unprepared. Thus they ran into this cunningly woven belt of fire when their initial spurt was exhausted and their formation disordered.

Under such difficulties it was largely due to Pershing's driving force that the attack was sustained and continued to make headway, if slow, until October 14. He then handed over the command of the First Army to Liggett, giving Bullard command of the newly formed Second Army, under his higher control. If the loss was exorbitant, it was strategically balanced by the fact of drawing in many of the Germans' last reserves. It was also largely due to his drastic, even ruthless, action in changing commanders who had lacked driving force that the way was paved for the triumphant resumption of the advance on November 1.

Reviewing the course of the war's last phase it would seem beyond doubt that Pershing was unfairly tried, that an exploitation of the St. Mihiel stroke by an advance toward Metz, with the 'blooded' divisions and long-standing preparations which he used at St. Mihiel, would have made better progress than the Meuse-Argonne advance. Even so, however, it could hardly have made the rapid penetration which was essential to fulfill his strategic aim. Thus the ultimate verdict on his strategy, as on his training doctrine, must be that it was more idealistic than realistic. Like the French, in the early phase of the war, it foundered on the rock of machine guns. He thought that he was spreading a new gospel of faith when actually it was an old faith exploded. This was the one flaw in the great structure he had built.

It may even be said that he omitted but one factor from his calculations — German machine guns — and was right in all his calculations but one — their effect. It was the abrupt discovery by his troops of this omission which shook their initial trust in him, and led to some of the sweeping unjust post-war criticisms. This change of attitude was typified in a story which was widely told. In a column of American troops on the march a voice was heard saying, 'Pershing says he'll

take Metz if it costs a hundred thousand lives.' Silence for a moment. Then another voice: 'Ain't he a damned generous guy.'

Yet even this remark has an undercurrent of chastened yet grudging admiration which is a tribute both to the driving force of Pershing and to the fortitude of his men. He lacked the personal magnetism which can make men lay down their lives gladly — he was far from a Robert E. Lee. But he had the character which compelled men not only to die but to work, cursing him, perhaps, but respecting him. He was hard, but life had tried him hardly, and if he gave affection to few it was generous when given — to those who had shown themselves *men* by his high standard. When he visited the battlefields after the war he stood silent awhile before the monument on the mound at Montdidier dedicated to the First American Division. At length, in a voice husky with emotion, he said, 'That was the best damned division in *any* army.' It was a tribute from the heart.

As for his achievement, it is sufficient to say that there was probably no other man who would or could have built the structure of the American army on the scale he planned. And without that army the war could hardly have been saved and could not have been won.

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B

THE CRUCIFIXION OF THE CATHOLIC MIND

BY SUMMERFIELD BALDWIN

THERE is a story told of a venerable priest who, as he lay dying not long since, declared to his sorrowing friends that when Saint Peter asked him what title he had to salvation he would declare his only claim to be that he was not responsible for a single conversion to the Catholic Church. Of course, in strict theology God alone is responsible for the gift of faith, so that there lurks a profound truth behind the old priest's paradox. The dealings of God with the reluctant and fugitive soul are likened by Francis Thompson to pursuit by a celestial hound. For a man to pursue a soul as God does, if it were not impossible, would be blasphemous. The man who had caught such a soul would, as I hope presently to show, have made himself possibly responsible for the most intricate and subtle of human sufferings—the possession of what one knows to be the true religion.

One hears much of the consolations of religion. It is a familiar phrase of disapproving elderly ladies whose nephews have embraced odd sects: 'Oh, well, if it makes you happy, I suppose it is all right.' Remarks of this sort reveal, it would seem, a profound misunderstanding of the essential character at least of the Christian dispensation. Though the yoke be easy and the burden light, yoke and burden they remain nevertheless, and as the years go on the average human soul is apt to find them nearly intolerable. The imitation of Christ, which is the key to the Christian life, includes a crucifixion and a desolation certainly

calculated neither to console nor to make happy.

Whether it be considered in its moral, its spiritual, or its intellectual aspect, the Christian religion—and *a fortiori*, I venture to suggest, the Catholic interpretation thereof—is hard. In point of morality, it demands a mortification of the appetitive part which is admittedly impossible to nature. Its spiritual system requires an all-consuming love of God without the concession of any inner awareness whatever that God returns that love. The dark night of the soul, the sense of desolation, of dryness, of emptiness, are the inevitable concomitants of the lives of the saints. With these phases of the problem I do not propose here to concern myself. My purpose is to suggest some of the subjective implications which lurk in the question nowadays so often asked: How can an educated man be, become, or remain a Catholic?

I

How can he do so, when he is fully aware that for all their excellence, their superiority to any other body of organized thought, the scholastic philosophy and theology are far from solving conclusively some of the principal metaphysical puzzles which torture the human mind? He cannot fail to realize, for example, that Kant and the idealists have an epistemology in many respects more convincing than that which depends on the categorical assertion that, unless the senses be

an infallible guide to truth, truth is impossible. He must be aware that the Catholic mind itself has been widely at variance as to the relations of free will and election, and equally aware that Spinoza has advanced a singularly plausible ground for doing away with arbitrary freedom altogether. He would be merely obscurantist if he refused to listen to these other voices simply because they upset him. He must concede them a hearing, and he must allow at least the possibility that they have spoken better than all the doctors of the Church.

Even the claims of the natural scientists cannot wholly be ignored, shallow as much of their philosophy may be. The Church itself teaches that God has established rules for the government of the universe. The presence of a body of divine revelation testifying to a considerable number of highly improbable exceptions to those rules, all occurring at a remote period of time for the benefit of an obscure Semitic tribe, is not wholly reassuring. Neither is the cure of pathological conditions by apparent miracles. Neither is the liquefaction of the blood of Saint Januarius. The Catholic is of course aware of all the conditions which surround these difficulties to prevent them from being insuperable, but this does not keep them from torturing him and disturbing his intellectual peace. Despite all the faulty reasoning of mechanists and biologists, too, and despite the tragic misunderstanding of the character of the book of Genesis, no believer can rest wholly easy upon some sublime assumption that everything can be explained away, and that there is no conflict between science and religion as to the creation of the human race or the operation of the human soul.

If we turn to the field of history, the position of the Catholic is no less

unhappy. The Church tells him that its whole existence rests upon the rational credibility of the Gospel narratives. Their historicity can only be accepted on the grounds upon which any document is granted historical worth. Yet this raises innumerable problems of criticism. Under his ordinary canons, for example, the historian must suspect the authentic character of any document which records the marvelous. The Gospels are strewn with the marvelous. Under his ordinary canons the report of words which the very text shows no one could have heard must be gravely suspect. What, then, of the prayer of Christ in the Garden? Nor is the Catholic unaware of the more intricate studies of the so-called higher critics, the grave questions as to authorship which they have raised, and the resultant doubts as to the historical weight of the writings themselves.

When the Russian communists declare that religion is the opium of the people, the Catholic who has studied his economics can scarcely afford to laugh that savage axiom away. Religion is an opiate in a certain sense. It does encourage the poor and down-trodden to remain as they are, to make no effort to improve their worldly estate, by lulling them into the hope of happiness after death to be secured by patience, by endurance of wrong and poverty and tyranny. It is to the interest, then, of the exploiting class to inculcate Christian principles among the exploited in order to create celestial values for which they will be content to surrender the more substantial terrestrial ones. The Catholic may know in his heart that this is only an accidental coincidence, that the goods of this world are nothing, that the rich, though they are Satan's minions, are nevertheless doing God's work by keeping the poor persuaded of this fact.

He may know this, but it is a hard saying, and he may well ask himself, occasionally, who can abide it.

II

If we leave the problems of a philosophical and scientific order, and turn to those which concern morality, the situation is not greatly improved. To be sure, the Church subscribes to the ordinary ethical principles of Western civilization. But what of some of its doctrines of morality? A boy and a girl passionately in love with each other go before a priest and promise to take each other as man and wife until death separate them. This marriage is held a sacrament, imprinting an irremovable character upon the soul, so that, however impossible their marital relations may become, only death can permit either of them to correct the mistake and seek a more suitable companion through life. Why is it that the death of one person removes an irremovable character? The Catholic may be fully aware of all the arguments of the theologians supporting the position of the Church on these points, but arguments they are likely to remain for him, and little more. He cannot but admit a certain force in the contention of his adversaries.

What of the hard and fast ruling of the Church in regard to birth control? Why this sudden insistence on nature, when man is usually excepted from the order of nature?

There is no need here to labor the so-much-belabored problem of political loyalty and Catholicism. But it is madness to deny the possibility of a conflict between a man's duty as a Catholic and his duty as a citizen. Is it truly moral to embroil a community in civil disorder for the sake of an abstruse point of conscience? Spinoza, for example, would hold that religion is so entirely

spiritual that a conflict is impossible because the State is entitled to compel the body and the lips, but cannot compel the mind. So long as one thinks one's self in harmony with the divine will, one may safely do what one is ordered by competent civil authority. That is manifestly the end of martyrdom, but the blood of the martyrs is the seal of the faith.

Throughout the Catholic world, the credulous are encouraged to honor 'relics' which are not relics, to believe in miracles of which there is no proof, to pay devotion to saints who never existed. The Second Nocturn of the Office of Matins, part of the divine liturgy, has become proverbial even among the clergy for its lies. It matters little that no one is bound to believe these things. The bishops sanction and encourage the teaching of them, and activities on the part of the laity based on the assumption of their truth. Surely there is an intricate bit of moral philosophy involved in this policy—one not wholly to be ignored by the conscientious Catholic.

III

There remains a whole group of questions, which can only be adumbrated here, relating to the obvious fact that, whether or not the Church be a divine institution, it is certainly a human one. For example, papal government is far from a self-evident dispensation. Many doctors of the Church have taught that all power of government in any society rests in its members. From this they have drawn the conclusion that only a general council, representing all Churchmen, can govern the Church. There is even a case to be made out for Wyclif's dominion of grace with its corollary of government of the Church by civil rulers.

After papal government there is

papal infallibility. The pope is called infallible in faith and morals, but no theologians have decided what papal utterances are infallible; whether bulls, or encyclicals, or decrees of congregations of the Roman Curia enjoy this quality in whole or in part. Morals, too, is a broad word. How much is it supposed to include? If both pope and general council are infallible, has the latter any real power of teaching apart from the former? What of the subjective test of the true faith propounded by Vincent of Lérins—that which has been held always, by everybody, everywhere?

What is one to think of sacerdotalism? No one can study church history without recognizing the constant tendency of a professional clergy to identify itself with the Church, and to minimize or ignore the fundamental priesthood of all believers which is implicit in Christian teaching. There is, for example, education, an eminently priestly duty. Yet of necessity the child's first introduction to the Catholic faith comes, not from any priest, but from his mother or his father. If parents are entrusted by God with the sacred duty of imparting the saving knowledge of truth to infant minds, why are they not entrusted with the entire choice of their children's education? Why should they be threatened with excommunication for not choosing to send their children to a school run by priests whose general capacity may be far inferior to that of laymen? What business have priests, whose general formation has been along lines of philosophy and theology, to undertake the teaching of economics, history, biology, and pretend that they can possibly do it as well as lay experts who have devoted their lives to these special sciences?

Consider the government of the parish churches. These are the gifts of the community to God. Yet the

community has no voice in their planning, their management, their decoration, the character of the services held in them. They are built by priests and managed by priests with the money given to priests by devout, industrious, and thrifty layfolk.

Why, year in and year out, are priests allowed to preach heresy and falsehood from their pulpits? The bishop is supposed to be the pastor of his flock. Why is no surveillance exercised in this matter? If the blind lead the blind, both must inevitably fall into the ditch. Why in almost every parish church in the United States are there money-changing tables at the door to aid in the exaction of seating fees when canon law expressly forbids this practice? Why, year after year, is vulgar theatrical polyphonic music allowed in the churches when the saintly Pope Pius X, whom a lip-worshipping hierarchy is now trying to canonize, adjured and commanded the churches to return to the Gregorian chant and the dignified polyphony of the sixteenth century? *Quis custodiet ipsos custodes?* If the hierarchy is not obedient, how can it ask obedience of the laity?

IV

Such an *ex parte* statement of the difficulties which the Catholic mind confronts is of course misleading. I have had occasion to note more than once that valid answers and convincing explanations are readily available in the case of the majority of them. Yet some must remain, in the mind of every Catholic, marshy and dangerous quagmires of thought, which he would willingly sidestep, but in which the bitter requirement of intellectual honesty implicit in his religion compels him to wade.

Why, cries the skeptic, if your mind does not rest in your faith, if your

faith torments, exhausts, even nullifies your mind, why remain a Catholic? This question in a measure overstates the case. The Catholic, like everyone else, is deeply aware of his intellectual limitations. He realizes that, although he thinks he sees a logical lion in the way, it may be only a logical chimæra. He realizes that even the most systematic of philosophers, with or without religious guidance, has never produced a logic-proof system. He knows that there are a host of men living and dead, of far greater intellectual powers than his, who have scaled the dizzy heights of the world of thought without falling into the abyss of unbelief. A common human modesty and self-distrust, then, are his first safeguard.

Secondly, he is aware that very few good things, life itself included, are easy to keep, however easy they be to obtain. It does not follow, of course, that because a thing is hard to keep it is good, but it suggests the general probability of such a converse proposition. If the retention of his faith costs him more suffering than its abandonment, he should be cautious of throwing away the expensive for the cheap. Furthermore, he is cautious of that very cheapness. In many ways he recognizes certain immediate satisfactions to be gained by abandoning his religion. He might be relieved from the clandestine or open persecution which attaches to those who hold it. More subtle temptation, he would be relieved from that mortification of the appetites which it imposes upon him. He would be relieved from the irksome discipline of obedience to social or intellectual inferiors. These and other advantages lead him to suspect that his intellect is not wholly unbiased, that he is deliberately magnifying the problems which trouble him in the hope of finding an excuse for improving his worldly or his sensual position.

Besides, this intellectual crucifixion is so consistent with what his religion teaches him as to the purpose of life that it lends a sort of rational confirmation to his faith. Finding that the Christian life, the imitation of Christ, involves the mortification of the senses and desolation of the spirit, he is hardly surprised that it also includes the anguish of mental uncertainty. For these and for other reasons, perhaps, the Catholic is slow to make any or all of these uncertainties the ground for abandoning his faith.

V

Yet the answer to the skeptic's question lies deeper than words can really express. The only answer may very well be, 'God knows why I remain a Catholic; I don't.' One has been pursued and caught by the Hound of Heaven, and one cannot escape.

But if the full answer either transcends or is unworthy of the words wherein reasonable creatures express themselves upon other topics, there is still one possibility of clarifying the position of the Catholic by an analogy drawn from an experience more generally understood than is the experience of conversion.

Consider a man in love, as the saying goes, with a woman. Every part of the man is involved. His appetitive part desires to possess her. His intellectual part drinks in her words, forms concepts of her, imagines or recognizes excellencies in her; and his affective or emotional part is in a condition in her regard not wholly different from that of a devout soul at prayer. Yet his appetitive part is and must be mortified. He can never wholly possess the object of his desire. His affective part is repeatedly afflicted with desolation, for, even if she return his love in equal or in greater degree, he can never know

it for certain. Finally, his intellect is in a torture. His reason will assure him that her possession and her love can do him no good, that he would be better off to forget her and go about his business, that the qualities he has imagined in her do not exist, that she is selfish, cold, and cruel. For all these objections a plausible case may be made out; for some of them he cannot find any answer at all. More than one misogynist has very well asked such

a man, 'Why, if she causes you only mortification, desolation, intellectual torture, do you not cease to be her lover?' Why indeed?

'Lord, I have loved the beauty of Thy house, and the place of Thy glory's habitation,' the Catholic must cry in the end. That house, that place, is the Church Militant. It is a place of suffering, a house of bondage, and yet, because it is the house of the Beloved, it is a house of rest.

BLADES OF STEEL

BY RUDOLPH FISHER

I

Negro Harlem's three broad highways form the letter H, Lenox and Seventh Avenues running parallel northward, united a little above their midpoints by east-and-west 135th Street.

Lenox Avenue is for the most part the boulevard of the unperfumed — 'rats' they are often termed. Here during certain hours there is nothing unusual in the flashing of knives, the quick succession of pistol shots, the scream of a police whistle or a woman.

But Seventh Avenue is the promenade of high-toned 'dickties' and strivers. It breathes a superior atmosphere, sings superior songs, laughs a superior laugh. Even were there no people, the difference would be clear: the middle of Lenox Avenue is adorned by street-car tracks, the middle of Seventh Avenue by parking.

These two highways, frontiers of the opposed extremes of dark-skinned social life, are separated by an intermediate

any-man's land, across which they communicate chiefly by way of 135th Street. Accordingly 135th Street is the heart and soul of black Harlem; it is common ground, the natural scene of unusual contacts, a region that disregards class. It neutralizes, equilibrates, binds, rescues union out of diversity.

In a fraction of a mile of 135th Street there occurs every institution necessary to civilization, from a Carnegie library opposite a public school at one point to a police station beside an undertaker's parlor at another. But one institution outnumbers all others — an institution which, like the street itself, represents common ground: the barber shop overwhelmingly predominates.

Naturally on the day of the Barbers' Annual Ball this institution clipped off, among other things, several working hours. The barbers had their own necks to trim, their own knots to conquer, their own jowls to shave and massage.

The inevitable last-minute rush of prospective dancers, eager for eleventh-hour primping, would have kept the hosts themselves from appearing at the dance hall, in their best, on time. Hence the association had agreed that every member's door be closed and locked to-day at four.

Shortly before that hour in one of 135th Street's 'tonsorial parlors,' the head barber, for whom a half-dozen men were waiting, dismissed a patron and called 'Next!' Already Eight-Ball Eddy Boyd, whose turn it was, had removed coat and collar and started toward the vacated chair.

'Make it boyish, Pop,' he grinned to the fat and genial proprietor. 'And long as you trimmin' me, lemme have two tickets for the stomp-down to-night.'

Pop Overton smiled goldenly and assumed the grand manner. 'You means to grace our function wid yo' attendance?'

The other's assent was typical Harlemese:—

'I don't mean to attend yo' function with my grace.'

As Eight-Ball put one foot on the foot rest of the chair, someone pulled him back ungently.

'My turn, big shorty.'

Eight-Ball turned, recognized Dirty Cozzens, an enemy of several days' standing.

'My turn,' disagreed he evenly.

'Yo' mistake,' Dirty corrected, and moved to brush the smaller man aside.

The move was unsuccessful. The smaller man exhibited something of the stability of a fire plug which one attempts to boot off the sidewalk. Dirty had bumped him without anticipating such firm footing, and now himself recoiled, careening off toward the mirrored wall with its implement-laden ledge. There was a little giggling jingle of instruments as his elbow struck this

ledge. Then there was silence. Of the two barbers, one stopped pushing his clippers, but left them resting against the customer's neck while he gaped; the other halted, his razor poised, his thumb in one corner of his patron's mouth. Those who sat waiting dropped their papers, their conversation, and their lower jaws. Everybody stared. Everybody knew Dirty Cozzens.

Eight-Ball stood pat, as if awaiting an apology for the other's rudeness. Dirty also remained where he had landed, his elbow still amid the paraphernalia on the ledge, his eyes glaring, as if to let everyone see how he had been wronged.

The two made a striking contrast. Dirty Cozzens was a peculiar genetic jest. Heredity had managed to withhold his rightful share of pigment even from his hair, which was pale buff. His eyes were gray, their lids rimmed red. His complexion had won him his nickname, 'Dirty Yaller,' of which 'Dirty' was the familiar abbreviation. In every other particular his African ancestry had been preserved and accentuated. The buff hair was woolly, the nose flat with wide nostrils, the mouth big, bordered by so-called liver lips, unbelievably thick. Within the shadow of a black skin, even, Dirty would have been a caricature; with the complexion that he actually had he was a cartoon, a malicious cartoon without humor.

So had heredity handed him over to environment, and environment had done its worst; had put sly cunning into the eyes, had distorted the lips into a constant sneer, had set the head at a truculent forward thrust on the large, lank body. With its present evil face, his was a head that might well have adorned the sceptre of Satan.

His opponent was his antithesis. Eight-Ball had been nicknamed after that pool ball which is black, and his skin was as dark as it is possible for

skin to be, smooth and clean as an infant's. The close-cut hair hugged the scalp evenly, the bright black eyes were alive with quick understanding, the nose was broad but sharp-ridged, with sensitive nostrils, the lips thin and firm above a courageous chin. He was beautifully small, neither heavy nor slight, of proud, erect bearing, perfect poise, and a silhouette-like cleanliness.

In the silence, Dirty's fingers reaching along the marble ledge found and caressed a barber's tool; an instrument which is the subject of many a jest, but whose actual use involves no element of humor; a weapon which is as obsolete as a blunderbuss, even among those whose special heritage it is commonly supposed to be — as obsolete and as damaging. Dirty, skilled in the wielding of steel, would never have considered this instrument in a set encounter, but the Devil put the thing now in his hand. He decided it would be entertaining to run his enemy out of the shop.

Pop Overton saw the movement, and it lifted him out of his daze. He said: —

'Aimin' to shave yo'self, Dirty?'

'None yo' dam' business,' snapped Dirty, still eyeing Eight-Ball.

'No,' said Pop. 'T ain't none my business. But hit's my razor.'

Dirty drew himself together, but not erect, — 'You seen what he done?' — moved then with slow menace across the distance between himself and Eight-Ball. 'You seen it, did n' y?'

'Now listen, big boy. Don't you go startin' nothin' in my shop, you hear?'

'I ain't startin' nothin'. I'm finishin' sump'n. Dis started a week ago. Hot nigger, dis black boy, but I'm go'n' turn his damper down.'

Eight-Ball spoke: 'Don't burn yo' fingers.'

Dirty advanced another step, knees

bent, one hand behind him. Had Eight-Ball retreated a single foot, Dirty would have tossed the razor aside with a contemptuous laugh; would have made a 'fly crack' about fast black guaranteed not to run; would have swaggered out, proudly acknowledging that he had picked the quarrel. But Eight-Ball had not retreated. Eight-Ball had stood still and looked at him; had even taunted him: 'Don't burn yo' fingers'; had watched him approach to arm's length without budging. Ought to take one swipe at him just to scare him good. Ought to make him jump anyhow —

Whatever might have happened did n't. Instead of the expected swift sweep of an arm, Dirty's next movement was a quick furtive bending of his elbow to slip the armed hand into his coat pocket; such a movement as might have greeted the entrance of an officer of the law.

As a flame flares just before it goes out, so the tension heightened, then dropped, when eyes discovered that the figure which had darkened the door was only that of a girl. She was a striking girl, however, who at once took the centre of the stage.

'Whew-ee!' she breathed. 'Just made it. Hi, Pop. Hello, Eighty. One minute to four! And the head barber waitin' for me! Some service, I scream — some service.' Wherewith she clambered into the vacant chair and effervesced directions.

The waiting customers first ogled, then guffawed. It struck them as uproarious that two men should appear to be on the point of bloodshed over a mere turn and neither of them get it. But the girl seemed quite oblivious.

Eight-Ball greeted her, 'Hello, Effie,' grinned, and returned to his seat. Dirty shuffled to the wall opposite the mirrors, got his hat, and went toward the door. As he passed the

head barber's chair he paused and spoke to the girl:—

'It was my turn, Miss Effie—but you kin have it.' He smiled so that his thick lips broadened against his teeth, and he touched his hat and went out.

His departure released comment:—
'Nice felluh!'

'Doggone! Sposin' he really got mad over sump'n!'

'He was n't mad. He was jes' playin'.'

'He better not play wi' *me* like dat.'

'Take 'at thing out'n his hand and he'd run.'

'Leave it *in* his hand and *you'd* run.'

Then, to everyone's astonishment, before Pop Overton had assembled the proper implements, the girl jumped down from the chair, scattering stealthy glances which had been creeping toward the crimson garters just below her crossed knees.

'Whose turn was it?' she asked Pop.

'Eighty's.'

'Thought so. Come on, Eighty. I got mine this morning.'

'What's the idea?' wondered Eight-Ball.

'Was n't it a fight?'

'Pretty near. How'd you know?'

'Anything wrong with these?'

A purely rhetorical question. There was certainly nothing wrong with Effie Wright's eyes—nor with her hair, nor with that rare, almost luminous dark complexion called 'sealskin brown.' One might complain that she was altogether too capable of taking care of herself, or that she was much too absorbed in Eight-Ball. Beyond that no sane judgment criticized.

Effie ran a beauty parlor directly across the street, and it was to this that she now referred.

'I was lookin' out the window over there. Saw you drive up in your boss's straight eight. Your friend was standin'

in front of the saloon—he saw you, too, so he come in behind you. Pop's window's got too much advertisin' in it to see through, so I come on over. Seem like I spoiled the party.'

'Ain't this sump'n?' Eight-Ball asked the world.

'Angels rush in when fools is almost dead,' was Pop's proverb.

'Well, since you won't open a keg o' bay rum, I guess I'll breeze.—Say, Pop, got an extra safety-razor blade?—Yes.—Oh, a customer gimme a pair o' pumps to wear to the shindig to-night, and I got to whittle off here and there till I can get 'em on. Cheat-in' the foot doctor.—A single-edged blade if you got it, Pop. Double-edged one cuts your fingers before it cuts anything else.—Thanks. Shall I lock the door on my way out?—Stop by before you haul it, Eighty.'

She was gone in a flurry of words.

'Can y' beat that, Pop?' Eight-Ball laughed.

'They ain't but two like her and she's both of 'em,' admitted Pop. 'But what's that Cozzens boy on you for?'

'We had a little argument in a dark-john game a while back.'

'Yes? Well, watch 'im, boy. Bad boogy what knows he's bad. And don't think he won't cut. He will. Thass th' onliest kind o' fightin' he knows, and he sho' knows it. They's nineteen niggers 'round Harlem now totin' cuts he give 'em. They through pullin' knives, too, what I mean.'

'He's that good, huh?'

'He's that bad. Served time fo' it, but he don't give a damn. Trouble is, ain't nobody never carved *him*. Somebody ought to write shorthand on his face. That'd cure him.'

'Yeah? Why n't you shave him sometime, Pop?'

'Mine's accidental,' answered Pop. 'Somebody ought to carve him artistically.'

'Well,' Eight-Ball said thoughtfully, 'maybe somebody will.'

II

The Barbers' Ball does not pretend to be a 'dickty' affair. It is announced, not by engraved cards through the mails, but by large printed placards in barber-shop windows. One is admitted, not by presenting a card of invitation, but by presenting a dollar bill in exchange for a ticket. It is a come-one-come-all occasion, where aspiring local politicians are likely to mount the platform between dances and make announcements and bow while influential bootleggers cheer. It was quite fitting, therefore, that this fête of, for, and in spite of the people should take place on 135th Street — this year in a second-floor dance hall just east of Lenox Avenue.

'Well, hush my mouth!' exclaimed Eight-Ball as he and Effie entered somewhat before midnight.

'Do tell!' agreed she.

For there were decorations. Nothing subdued and elegant, like the So-and-So's dance. Nothing 'fly,' like the Dirty Dozen's. Just color in dazzling quantity, presented through the inexpensive medium of crêpe paper — scarlet, orange, brilliant green, embracing the lights, entwining the pillars, concealing the windows, transforming the orchestral platform into a float.

The orchestra also made no pretenses. It was a so-called 'low-down' orchestra and it specialized in what are known as 'shouts.' Under the influence of this leisurely rhythm, steady, obsessing, untiring, you gradually forget all else. You can't make a misstep, you can't get uncomfortably warm, you can't grow weary — you simply fall more and more completely into the insistently joyous spirit of the thing until you are laughing and humming aloud

like everyone else. You get happy in spite of yourself. This is the inevitable effect of shouts, to which the orchestra to-night largely confined its efforts.

The newcomers joined the gay, noisy dancers, finding their way not too swiftly around the crowded floor. Here someone advised them to 'get off that dime!' and there someone else suggested that they 'shake that thing!'

But the shout to which Eight-Ball and his girl inadvertently kept time had not yet saturated their emotions, and in spite of it they discussed less happy concerns.

'I been so mad I ain't had no dinner,' said Eight-Ball.

'Bout what?'

'Notice I did n't bring the car to-night?'

'Yes. Boss usin' it?'

'No. — Know when I left your place this afternoon, after you showed me that trick?'

'Yes.'

'Notice anything wrong with the car when I drove off?'

'Nope. Too busy watchin' the driver.'

'I went about half a block and felt somethin' wrong. Pulled up and got out to look. Two flat tires.'

'No!'

'Uh-huh. Front and back on the side away from the sidewalk.'

'They was O. K. when you parked?'

'Brand-new.'

'Blow-outs? Slow leaks?'

'No. Cuts.'

'What are you ravin' about?'

'Both tires had a six-inch gash in 'em, made with a knife —'

'What!'

'Or a razor.'

Effie stopped dancing. 'The yellow son of a baboon!'

'Everybody says they ain't nothin' he can't do with a knife. Looks like they ain't nothin' he *won't* do.'

The shout, the rhythmically jostling crowd, impelled them back into step.

'Eighty, you ought to half kill 'im. Of all the low, mean, gutter-rat tricks — you ought to lay 'im up f' a year.'

'How you know I can?' he grinned.

'Can't y'?'

'I can't prove nothin' on him. Who seen him do it?'

'Nobody did n't have to see him. You know he did it.'

'Nope. I can wait. He's sore. He'll keep on messin' around. Thinks he can't be had.'

'He can be had, all right. All I'm 'fraid of is somebody else'll have 'im first. Everybody that knows that guy hates 'im and most of 'em's scared to boot. Whoever whittles 'im down will be a hero.'

As the jazz relented, the object of her anger took form out of the crowd and approached.

'Evenin', Miss Effie,' said he, ignoring Eight-Ball. 'Been lookin' f' you. I give you my turn in d' barber shop to-day. How 'bout givin' me mine now?'

Effie looked through him at the decorations surrounding a post. As if she and Eight-Ball had been discussing the colors, she commented: —

'That's one color I'm glad they forgot — I can't stand anything yellow.'

Dirty turned garnet; but before his chagrin became active resentment the music returned with a crash. Eight-Ball and Effie moved on past him, their anger partially appeased by knowing that Effie's tongue had cut like steel.

And now the shout more easily took hold on them, hammering them inexorably into its own mould. The increasing jam of people pressed them more closely into each other's arms. The husky mellowness of soft-throated saxophones against the trumpet's urge, the caress of plaintive blues melody against the thrill of strange dishar-

monies, the humor of capricious traps against the solidity of unflinching bass — to these contrasts the pair abandoned themselves. Harsh laughter, queer odors, the impact of the mob, became nothing. They closed their eyes and danced.

They might have danced for an hour, only half aware of the jumble of faces about, of their own jests and laughter, of the occasional intervals of rest. Then something woke them, and they suddenly realized that it was at them that people near by were laughing — that a little space cleared about them wherever they moved and people looked at them and laughed.

At first they were unconvinced and looked around them for something comic. Then Pop Overton appeared, smiling roundly.

'Thought monkey backs was out o' style, son.'

'What?'

'Did you have yo' coat cut to order?'

Effie switched Eight-Ball around and gasped while onlookers frankly smiled. A triangle of white shirt back, its apex between Eight-Ball's shoulder blades, shone through a vertical vent in his coat, a vent twice as long as any designed by a tailor. In the crush and abandonment of the dance a single downward stroke of a keen-edged instrument, light enough not to be noticed, had divided the back of the garment in two as cleanly as if it had been ripped down midseam. The white of the shirt gleamed through like a malicious grin.

As Eight-Ball examined himself unsmilingly, Pop Overton sobered. 'I thought it was torn accidental,' he said. 'Judas Priest! I bet that —! Say, Eighty, fo' Gawd's sake don't start nothin' here. We ain't never had a row —'

Eight-Ball and Effie, faces set, stood looking at each other in silence.

Dirty Cozzens stood in the shadow of the doorway beside that leading to the Barber's Ball, and in return for a generous drink unburdened himself to a buddy.

'It was in d' back room at Nappy's place. Dis li'l spade turns a black jack and wins d' deal, see? Well, he's a-riffin' d' cards and talkin' all d' same time, and he says, "You guys jes' git ready to loosen up, cause I'm gonna deal all d' dark johns home. I promis' my boss I would n' gamble no mo', but dis is jes' like pickin' up money in d' street." Fly line, see? Den he starts dealin'. Well, I figgers dis guy's been so lucky and jes' turned a black jack for d' deal, it's time fo' his luck to change. So I ups and stops his bank fo' twenty bucks, see? And I be dam' if he don't deal himself another black jack — makin' two in a row!

'Well, he picks up all d' money befo' we can git our breath, see? Everybody laffs but me. I figgers dey's a trick in it. Would n' you?'

'Sho' I would. Two black jacks in a row. Huh!'

'So I calls 'im crooked. But he jes' laffs and tells me to talk wid mo' money and less mouf. Natchelly dat makes me mad. A guy pulls a crooked deal and says sump'n like dat. Would n' you 'a' got mad?'

'Sho' I would. Sho', man.'

'So I tells him to pass back my twenty, long as he said he was n't gamblin'. Den he stops dealin' and asts me is I big enough to take it. Tryin' to start sump'n all d' time, see?'

'Sho' he was. Tryin' to staht sump'n.'

'So I says I'll either take it out his pile or off his hips, see? But when I starts for him, d' guys won't let me put it on him, see? Fact, dey puts me out d' game. So natchelly I jes' got to get me some o' dis li'l spade's meat, dass all. I got to. He can't git away wid nuthin' like dat.'

'Tryin' to git away wi' sump'n. Huh!'

'Sho' he is. But I'll git 'im.'

'What you aim to do?'

'I been primin' 'im fo' a fight.'

'Dey claim he's pretty good wif 'is hands.'

'Ain't gonna be no hands. See dis?'

He drew from his right-hand coat pocket what appeared to be a quite harmless pocketknife. He pressed it under his thumb and a steel blade leaped forth, quick as the tongue of a snake, a blade five inches long with a sweeping curve like a tiny scimitar. It was hollow-ground and honed to exquisite sharpness. A little catch fell into place at the junction of blade and handle, preventing the protruding blade from telescoping shut. The steel gleamed like eyes in the dark.

'Whew-ee!' admired the observer.

'He won't be d' fus' one I ever put it on. And here's how I figger. His boss is tight, see? Fired two guys already fo' roughin'. Dis boogy's got two new tires to account fo' now. And when his boss sees he been cut, he'll find out it's 'count o' some gamblin' scrape and fire him too. Dass where I laff. See?'

'Deed, boy, it's a shame fo' all dem brains to go to seed in yo' head. You could sell 'em and buy Europe, no stuff.'

Then abruptly both shrank into deeper shadow as Eight-Ball and Effie came out.

III

Diagonally across the street from the dance hall stands Teddy's place, an establishment which stays open all night and draws all manner of men and women by the common appeal of good food. Oddly, it was once a mere bar-room lunch, and the mahogany bar counter still serves the majority of Teddy's patrons, those who are content

to sit upon stools and rub elbows with anybody. But there is now a back room also, with a side entrance available from the street. Here there are round-top tables beside the walls, and here parties with ladies may be more elegantly served. It is really a 'high-class' grill-room, and its relation to the bar-counter lunchroom, the whole situated on democratic 135th Street, marks Teddy a man of considerable business acumen.

In one corner of the grillroom there is an excellent phonograph which plays a record repeatedly without changing. A song ends; you wait a few moments while the instrument is automatically rewound and adjusted; and the song begins again.

To-night the long-distance record was Tessie Smith's 'Lord Have Mercy Blues,' a curious mingling of the secular and the religious, in the tragic refrain of which the unfortunate victim of trouble after trouble resorts to prayer. The record was not playing loudly, but such was the quality of Tessie Smith's voice that you heard its persistent, half-humorous pain through louder, clearer sounds.

Just now there were no such sounds, for the room was almost empty. The theatre crowd had departed; the crowd from the dance halls had not yet arrived. Three or four couples sat about tête à tête, and near the phonograph Eight-Ball and Effie. Eight-Ball's back was turned toward the wall to hide the gape in his coat.

The phonograph wailed: —

'My man was comin' to me — said he'd let me know by mail,
My man was comin' to me — said he'd let me know by mail —
The letter come and tole me
They'd put my lovin' man in jail.'

Grief, affliction, woe, told in a tone of most heartbroken despair; desolation with the merest tincture of humor —

yet those who listened heard only the humor, considered only the jest.

'Mercy — Lawd, have mercy!
How come I always get bad news?
Mercy — Lawd, have mercy!
How come I always got the blues?'

'Them's the blues I ought to be singin',' said Eight-Ball.

'You'll feel better after you eat,' soothed the girl.

'I'll feel better after I get one good crack at that half-bleached buzzard.'

'You ought to pick your comp'ny, Eighty.'

Her tone surprised him. He encountered her look, mingled tenderness and reproach, and his eyes fell, ashamed.

'All right, kid. I'm off gamblin' for life. — But if that dude keeps messin' around —'

'Don't forget — he cuts.'

'He better cut fast, then.'

As if willing to oblige, Dirty Cozzens appeared at the door. He stood looking about, head hunched characteristically forward, right hand deep in his right coat pocket; calmly observed the relative desertion of the dining room; then slowly advanced across the open space in the centre of the floor.

Quickly Effie reached into her bag, drew something forth, put it into Eight-Ball's hand. The movement could have been seen, but the object passed was too small for the closest observation to make out. She might merely have been indulging in a heartening handclasp. Eight-Ball looked at her, first with puzzlement, then with understanding and resolution.

This time Dirty ignored Effie. This afternoon he might have had a chance with her; now he knew he had not. Then he had hidden his weapon from her; now he wanted her to see. That, too, had been largely bullying; this was serious challenge. Then he had sought but a momentary satisfaction; the

satisfaction pending now would last, arising as it would out of the infliction of physical injury which should cost the victim his job. Let Effie share all of this — by all means let her see.

‘Gimme my twenty bucks.’

Eight-Ball looked up, allowed his gaze to pause here and there over his enemy’s frame; then patted his left trousers pocket. ‘It’s right here. — You big enough to take it?’

‘Listen, lampblack. You been tryin’ to git fly wid me ev’ry sence las’ week, ain’t y’? Put d’ locks on me wid a crooked deal. Tried to start sump’n in d’ barber shop to-day. Tole yo’ woman to freeze me at d’ dance to-night. Aw right. I’m warnin’ y’, see? I done warned you twice. I put my mark on yo’ two shoes to-day and I put it on yo’ coat to-night. D’ nex’ time I’m gonna put it on yo’ black hide. See?’

Eight-Ball sat quite still, looking up at the lowering face.

‘I tole y’ I’d either take it out yo’ pile or off yo’ hips. Now put up or git up, you —’

Eight-Ball went up as if he’d been on a coil spring, suddenly released. Dirty staggered backward, but did not lose his footing.

Naturally none of Teddy’s three waiters was in sight — it is unlikely that they would have interfered if they had been. Indeed, had they seen the initial blow of Eight-Ball, — a familiar patron, — they would have been satisfied to let him take care of himself. As for the other guests, they were interested, but not alarmed. One does not yell or run at such a time unless a pistol is drawn.

Recovering balance, Dirty Cozzens drew his right hand from his pocket. It is difficult to believe possible the expression of evil that now contorted his features. That expression, however, was not more evil than the glint

of the miniature scimitar, whose handle his right hand grasped.

He held the weapon in what pocket-knife fighters consider best form — three fingers firmly encircling the handle, but the index finger extended along the posterior, dull edge of the blade, tending to direct, brace, and conceal it. A sufficient length of the curved point extended beyond the end of the index finger to permit the infliction of a dangerously deep wound.

Eight-Ball stood ready, leaning a little forward, arms lax, both palms open — and empty.

Dirty’s scowl concentrated on Eight-Ball’s hands, and that he did not move at once was probably due to his astonishment at seeing no weapon in them. Any such astonishment, however, promptly gave way to quick appreciation of an advantage, and he did what a knifer rarely does: he rushed, bringing his blade swiftly across and back in a crisscross sweep before him.

Eight-Ball neither side-stepped nor attempted to block the motion. Either might have been disastrous. Instead, he ducked by suddenly squatting, and, touching the floor with his left hand for balance, kicked suddenly out with his right foot. The sharp crack of his heel against his antagonist’s shin must have almost broken it. Certainly he gained time to jump up and seize Dirty’s wrist before it could execute a second descending arc.

One less skilled than Eight-Ball would have found this useless. From such a wrist-hold the knife hand is effectively liberated by simply inverting the weapon, which the fingers are still free to manipulate. The blade is thus brought back against its own wrist, and any fingers surrounding that wrist usually let go at once. Eighty had forestalled this contingency by a deft slipping of his grip upward

over the fingers that held the knife handle. The hold that he now fastened upon those fingers was the same that had yanked two slashed balloon tires off their rims some hours before, and it held Dirty's fingers, crushed together around their knife, as securely as a pipe wrench holds a joint.

And now those who had watched this little fellow empty-handed win the advantage over an armed and bigger adversary saw a curious thing occur. Regularly in the ensuing scuffle Eight-Ball's right hand landed open-palmed against Dirty's face — landed again and again with a sounding smack; and for every time that it landed presently there appeared a short red line, slowly widening into a crimson wheal.

Before long Dirty, rendered helpless now and losing heart, raised his free hand to his face, and as his fingers passed across it the crimson wheals that they touched all ran together. He looked at the tips of those fingers, saw they were wet and red; his mouth fell open; the hand which Eight-Ball held went limp, the knife fell to the floor; and Dirty Cozzens quailed, as craven now as he'd been evil a moment before.

He began to stammer things, to deprecate, to plead; but Eight-Ball was deaf. The muscles of the latter's left arm seemed about to burst through their sleeve, while the artificial vent in the back of the coat ripped upward to the collar, as with one tremendous twist he brought the other man to his knees.

In that mad moment of triumph no one may say what disproportionate stroke of vengeance might not have

brought on real tragedy. But with that strange and terrible open palm raised, a voice halted Eight-Ball's final blow:

'Mercy — Lawd, have mercy!'

Tessie Smith's voice, wailing out of an extremity of despair: —

'Letter come and tole me
They'd put my lovin' man in jail.'

The entire engagement had occupied only the few moments during which the phonograph automatically prepared itself to repeat. Now the words came as warning and plea: —

'Mercy — Lawd, have mercy!'

Eight-Ball released Dirty Cozzens, stepped back, picked up a crumpled paper napkin from the table where Effie still sat.

'Wipe y' face with this. Go on 'round to the hospital.' He urged Dirty, whimpering, out of the side door.

Then he turned back toward Effie, stood over the table a moment, returned her rather proud smile. Two of the men who had looked on came up. Said one: —

'Buddy, show me that trick, will you?'

Eight-Ball extended his right hand, palm downward, and spread the fingers wide open. Freed from its vise-like hiding place between firmly adjacent fingers, something fell upon the porcelain table top. It fell with a bright flash and a little clinking sound not unlike a quick laugh of surprise — the safety-razor blade which Effie had borrowed that afternoon from Pop Overton.

THREE CHINESE POEMS

TRANSLATED BY STELLA FISHER BURGESS AND LI AN-CHE

I

In the Ming Dynasty a certain number of court maidens were always set aside, for life, for the chance whim of His Majesty. Once the Emperor, out of pity for his troops in the North guarding the Great Wall, gave order that these maidens should busy themselves making winter garments for these soldiers. One such soldier, on receiving his coat, found within on a strip of silk the following unsigned poem

THE guards of the Wall, how great their discomfort!
Most acute on the field in hours meant for sleep.
My fingers have fashioned this coat for a soldier,
Though with no means of knowing to whose hands it shall pass.
Goodwill has here added more thread to the making,
Deep emotion has packed the wadding more close.
Gone is the chance of a meeting in this life,
But — reincarnation, and hope shall be fact!

II

*Found carved on a rock above the hot springs of T'ang Ch'uan, Chihli
Written by a nameless court maiden*

THE northern frontier! Winter at prime!
Yet even here there is one attraction —
This small pool, hot as boiling water.
Why when, from of old, in steady flow
These hot springs have gushed forth,
Why could they not have warmed cold human hearts?

III

*'Han Yeh pu Mei, K'ou Chan'
Written by Yao Hsi Hsia, daughter of Yao Tai, of the Ching Dynasty*

SLEEPLESS, on a cold night, I pour out my heart:
It is taking the long-drawn-out night for the moon, shining
on the curtain, slowly to set.
Sleepless, I sit up, compelled however weak.
In my thoughts are many things unutterable —
All implied in a muffled cry of 'Mother!'

VILLAGE JUSTICE

BY ALBERT RHYS WILLIAMS

I

FIFTEEN cases for the People's Court have piled up in the back villages of Khvalynsk Volost. That means a hundred peasants, each making a twenty- or thirty-verst journey down from the hills to Khvalynsk.

'Instead of coming to you, we are asking the Court to come to us.' This is the request that Red-beard Lopukhov from Pine Tar Village delivers to Judge Khonin.

'But the Court has no funds for travel,' explains the Judge.

'If you will come, we will furnish horses, food, lodging,' says the emissary.

'Agreed,' replies the Judge.

A bitter cold December day when the *yemshik* drew up before our doors. I fitted myself into the prosecutor's felt boots (*valenki*), the prosecutor into the Judge's; the Judge confiscated his boy's. Loading ourselves into a twig basket resembling a bathtub on runners, we climbed up the gully road. A long drive buffeting the wind on the high plateau above the Volga, and at last Pine Tar Village and into a big wall-on-wall fight proceeding in honor of the first fall of snow.

Pine Tar is a big village — six hundred and fifty houses, and a centre for many near-by hamlets.

A well-to-do village. Drawing a double income by adding to its grain fields great onion beds irrigated by many springs.

A cunning village. 'Six hundred dessiatines sowed' were the returns

officially made to the tax appraiser. Hail beat down the crops, and claims were put in for twelve hundred dessiatines damaged.

A stubborn village. Sixty thousand poods was the grain requisition levied on it in 1919. The village heads announced, 'Thirty thousand is all that we will give.' Commissars came, arrested the village heads, sent them off to Khvalynsk. A new assembly was called, new heads elected, but the same reply: 'Thirty thousand we will give, and not one pood more.' They in turn were arrested and a Red division billeted in the village. The peasants hid their grain in the earth, sold it to Tatars in the night, carried it off in boots and aprons, distilled it into *samogon*; anything but give it up to the threatening commissars, who, after a year's effort, gathered in but fifteen thousand poods — half what the village agreed to give.

An Old Believers' village. Founded by the Sharpshooters (*Streltzi*) exiled thither after the revolt against Peter the Great, and enduring century-long persecution from the Orthodox State Church. Their bells were silenced; even the repairing of their prayer house was forbidden; and by special order of the Tsar sentinels were placed at the doors to bar all entrance.

Now the bells swing free, and their soft chiming at evening dusk led me to the prayer house.

Opening the door, I stepped into the Middle Ages — into a big-bearded,

black-caftaned peasant mass, white-framed by long rows of *platok*-headed women. In the centre an enormous book was held aloft in many upstretched arms, the strange Slavonic script lit by a gigantic green candle, while out of the painted pages forty peasants chanted the ancient liturgy, calling, with incredible rapidity, 'God's mercy on us!' surely not less than a thousand times. Even the Judge, who holds a Tolstoyan animus against the Church, but whom I induced to look in, admitted it was weirdly impressive.

Jeweled ikons, white incense clouds, golden-clad priests swaying with the censers, worshipers in deep prostrations to the floor, endless signing of the cross in unison, hundreds of candle flames pin-pricking the dark, and sombre, big-eyed saints gazing down from their silver frames. I might have succumbed to the mesmerism of the ceremony were it not for profane thoughts about the combustibility of those long beards waving so freely among the candles. Were virgin beards somehow fireproof? Or do they sometimes burn up? For Old Believers this would be a twofold tragedy: the loss of decoration in this world and of a passport into the next.

With these prophet-bearded men in great flowing coats the village looks as though it had stepped out of the Old Testament. And the resemblance is not merely superficial.

II

It was with the old patriarchal family, the Agaphonovs, that the Court was lodged. Four generations inhabiting two rooms, and on top of them came we — six in number. Samovar and soup were set up by *babushka*, and out of the Judge's sausage roll, the prosecutor's apples, and the defender's meat, we made a communal feast. After the roster of the morrow's cases,

crimes of the village were called for. The Soviet jurists were young, but they already had a professional taste for crime, like doctors for disease. All that evening we heard the crimes of Pine Tar Village, past, present, and prospective.

They began with the story of what had happened at this very table around which we sat. Here, one saint's day, sat two big muzhiks, Vassily Nazarovich and Yegor Luda, celebrating their lifelong friendship in demijohns of vodka. They sang the old songs together, kissed, embraced, calling each other 'Little red sun,' 'Blue dove,' 'Little white dove' — all the Russian terms of endearment. But all so inadequate to the exaltation of their feelings! Nothing left but that peculiar means by which the peasant expresses the extremes of his affection — the fists.

'For love's sake, Vassily,' said Yegor, 'let's go out and fight!'

The two giants, squaring off, rushed at each other like bulls, voices crying, bodies crushing, fists thudding, crimsoning the snow with blood. Finally a sledge-hammer blow on Yegor's temple, knocking him dead.

Vassily, grief-stricken, wanted to kill himself. But so obviously it was 'a fight for love's sake' that Vassily's sentence was nominal — three months' jail and the injunction never to fight again.

The greatest tragedy in the village annals was in the blizzard of 1912, on a howling night that muffled every sound. It happened in the izba next door. Zakhar, a sober, God-fearing, industrious muzhik, suddenly picked up the usual instrument of peasant execution, an axe, and proceeded to chop his family to pieces. The six-year-old son desperately rushed the father, but was shoved out of doors, and beat his way through the storm to the Agaphonovs. When Jacob pushed

his way into the house he found blood spurts on the ceiling, the daughter headless, the wife in shreds, and Zakhar on top of the stove, smoking.

The murder has passed into poetry, a long epic ballad that was half sung, half recited by son Jacob in a steady monotone. Under its influence Grandfather Ivan, on top of his stove, drifted off to sleep.

Time for all to turn in. The last baby was put in a springing cradle hung from the ceiling. Father Anton and his wife lay on the bed. Son Jacob and wife stretched out on the floor. Likewise grandson Feodor and tangles of children. Likewise the Court. Removing coats, we stretched out in a row, trying to sleep in the equatorial heat engendered by this mass of humanity and two mammoth stoves. Too much for me. I went out to the cow shed. Later, judge and prosecutor came out to bunk with me in the straw, to brush away the snow that sifted through the cracks, and to speculate upon the ferocious passions that lie latent in these mild, blue-eyed, apostle-faced peasants.

III

In the morning we found the hall for the court filled with smoke and fumes from a leaking stove. 'Impossible!' said the Judge. The schoolhouse was proposed — that meant turning out the children. 'Impossible!' said the Judge. Someone said, 'Why not open the windows?' Attention, skeptics about the advance of revolutionary ideas among the masses! In a Russian village in winter time the windows were opened! As the smoke and fumes went out the crowd came in, and straightway the hall was warming up with a thousand oxygen-burning lungs.

'Before court opens, let's have a meeting,' said the Judge. The theory of Soviet law and legislation was the

subject of the Judge's discourse. It was formal, heavy with verbiage. Deeply impressed were his auditors: A learned man is the Judge. He knows the law.

A practical man is the Judge. He knows peasant life, too. This is manifest in the informal talk that follows on the moot questions of the village: why boys steal grain; why families are breaking up; why daughters-in-law have become unmanageable. Homely, colloquial, to the point. The peasants were delighted. The cry, '*Pravilno! Pravilno!*' ('Right! Right!') grew louder and louder.

The Judge had attained his end. The competence of the Court had been established.

Meantime Lopukhov individualized for me some outstanding figures in the roaring, surging peasant mass.

Andrew Kooznetzov, the biggest kvas drinker. Zotey, the strongest man: getting under the belly of a horse and clutching the four legs together, he carried it out of the stable. Babinkov, a Russian southpaw, his left fist a battering ram that always smashes a way to victory in the wall-on-wall fighting. Boodilin, one-time hawkler of reserved seats in Paradise to the Moravians — 'Few places left; buy now!' Gregory Isachev, for thirty years the chief chosen by the village for bribing officials; he never met a judge, surveyor, or *chinovnik* he could n't give a present to for the general weal of the village — some commissars to his credit, too. Jacob Beloogin, renowned horse thief, but never caught at it. Nikolai Kolgin, champion samogon distiller, his stuff eighty per cent strong. Vassily Lopukhov, who wants the return of monarchy: 'The birds,' he says, 'have a tsar — the eagle; the bees a queen; even the geese a *vozhaty*.' Izaac Emelianov, breathing slaughter against the Orthodox priest who ran away with the Whites to Siberia and now lives in a

neighbor parish. Isaac says, 'Let the priest show his head in Pine Tar and I will kill him.' Metrophanov, hell-roaring cavalryman, soured against Moscow because it does n't declare war on somebody — Poland, China, Africa, it's all the same to him.

In the sea of peasant gray was one fleck of vivid color, the new red-slashed uniform of the 'militioneer.' He was a singularly aloof individual. Only his uniform to indicate that he had any connection with the Court and with the prisoners. In reality there were no prisoners. For in a Russian village one's share of the land is more binding than bail or prison bars. The procedure is very simple. An inspector investigates, draws up a protocol; the accused is notified when to appear for trial.

Everything is ready. Khonin introduces the cojudges (*zasedateli*), the peasants Kootishev and Damitov, who, as they are drawn from another village, Boltinovka, are assumed to be without partiality or prejudice. He explains that he acts as President of the Court, the cojudges having equal powers with himself. He declares the court open and calls the first case.

IV

'Gorbooshev — Anisim Simonovitch.'

'Birthplace?'

'Pine Tar Village.'

'Age?'

'Thirty-three.'

'Married?'

'Yes.'

'Property?'

'Boots and clothes I stand up in.'

'Do you challenge any member of the Court?'

'No.'

'Do you have confidence in your judges to give you a fair trial?'

'I do.'

Gorbooshev has a peasant's body, big, well built. A peasant's face, broad and smiling. But in voice and bearing is all the urbanity of a man of affairs. And so he is — or was. One-time Tsar officer, one-time Red Commander, one-time Communist, one-time Moscow Coöperator. Now standing before the bar of Pine Tar Village.

Drunk in the Khvalynsk market. Singing drunk on the Volga steamer. Sprawling drunk on the herring wharf at Volsk. But what of that? In Russia a man preserves the inalienable right to get drunk. Gorbooshev has inherited rights as well. He comes from a long line of notorious drinkers. His father, a most religious man, — compelling his family every morning to rise at three o'clock and pray before his forty ikons until five, — was a drunkard. So were his grandfather and great-grandfather. Gorbooshev's appetite has come down a long way and grown in the coming.

It is not drunkenness, however, that Gorbooshev is charged with, but his drinking up nine hundred rubles of the Pine Tar Coöperative, of which he was president and buyer. Sometimes it was a whiff from a samogon still that started up his thirst. Sometimes private traders primed the willing victim with vodka, and he sold them the wares of the Coöperative cheap in order to get money for more vodka.

All these exploits Gorbooshev explains in detail. He palliates nothing, conceals nothing, confesses all. All so objectively that it might be the misdeeds and debauches of someone else he is describing — so completely identifying himself with the community that he actually gets to grieving with it over the misfortune of having such a president. Their affliction is his affliction. And by a reverse process his weakness is their weakness. All of them — somehow the Court, too, whom he addresses as 'Comrade judges' — are

in the muck together, and somehow all together they must get out of it.

Now the defender, Vasiyev. He shows that Gorbooshev's vodka spreeing was not unmitigated evil. True, certain traders plied him with vodka for their ends; but he in turn plied other traders with vodka, selling them onions at fifty kopecks above the market price, on this one deal alone making an extra profit of sixteen hundred rubles for the Pine Tar onion growers.

Next the prosecutor, Bolshakov. He picks up the onions and, so to speak, rubs them into the defender's eyes. He shows that the onion buyers Gorbooshev corrupted were agents of the main Coöperative. 'Out of the main Coöperative come all our goods; out of this corruption come higher prices. Cloth leaving Moscow at thirty kopecks brings fifty kopecks in Pine Tar — thanks to these criminals. As once horse stealing was epidemic in the village, now it is Coöperative stealing. Moscow cries out, "Stop these thieves!" There they stopped them with bullets, shooting sixteen of these enemies of the Soviet. We don't ask you to shoot Gorbooshev, but to put him where such birds belong — in a cage.'

Acid, stinging words, taking the smile off the face of Gorbooshev. Like a great hurt child, he stands fingering the Lenin badge on his coat.

'Enemy of the Soviet'? Did n't he twenty times risk his life for that Soviet, leading his troops against the Whites? 'Criminal'? Was n't it he who put his feeble Coöperative on its feet, raising its capital from one hundred to twelve thousand rubles? 'Thief'? He had n't forged any documents, falsified any accounts. True, he took a little money. Not for his pocket, but for his throat, to slake the burning thirst there. And everybody else's thirst also.

'If he had only one bottle of vodka, he would give you half of it,' whispers a peasant to me. Greater love hath no man than this.

'How am I to blame? With the same thirst, in the same position, anybody might have done the same.' That's the way he feels. And that's the way most of the peasants feel, touched with pity when Gorbooshev, discouraged by the grilling, gives it up and throws himself upon the mercy of the Court. Had he turned round and thrown himself upon the mercy of the peasants, the Court in all probability would have been assailed by a storm of voices crying, 'Forgive! Forgive!' Knowing his peasants, Gorbooshev knows this well. He has fallen a long way, but not so far as this.

The case is closed. The judges retire to prepare the verdict. There are calls from the floor: 'The American! The American! Tell us about your land across the sea!'

I compare the two countries, peoples and food, incidentally touching on the relative leanness of Americans. A voice calls out: 'If, as you say, the Americans are thinner than we are, why is it that you, citizen Williams, are so full-blooded?' (*Polnokrovny* — polite word for 'fat'.)

I explain: 'It's because I've been in Russia three years and eaten much bread and *kasha*.'

'And drunk much vodka and samogon,' mumbles a muzhik in the centre.

I break to them the dread news that in America all liquor — vodka, whiskey, wine, beer — is forbidden. A general groan, and an old man rising to ask, 'Is this the reason, then, comrade, you came to live with us in Russia?'

'And if it is a free country,' puts in another, 'why do they stop vodka?'

One reason I offer is the vast number of factories, trains, and automobiles in America. A worker a little

unsteady from alcohol may kill many people and destroy valuable machines.

'That means, brother muzhiks,' shouts a voice from the back, 'if we are going to have tractors we must give up vodka.'

Bursts of laughter and cries of 'Never! Never!'

Our pleasant colloquy is interrupted by the cry: 'The Court assembles!' The peasants rise, and Khonin reads the verdict: —

'In the name of the Russian Socialist Federated Soviet Republics, the People's Court of the Sixth District [and so forth], hearing the case of Gorbooshev, age 33 [and so forth], for misappropriation of funds [and so forth], declares him guilty, and sentences him to one year in prison. But taking into consideration his services in organizing the Coöperative, his frank confession [and so forth], ten months of this term are made conditional. Two months to serve.'

From the formal decision the Judge at once passes to an informal interpretation. 'We bring in a sentence of guilty on one man. It might well be a sentence of guilty on a thousand men — upon all of you. You saw your president drinking. Some of you drank with him. You knew vodka costs money. You knew where he got it. But you did nothing about it. Never shall we have social institutions until we have social responsibility.' Pointing the moral of the strong man broken by strong drink, he declares a recess.

Now the peasants' verdict on the verdict.

'Too hard! Sitting in a cage — what good will that do?' Against this majority a few voices declare the sentence too soft. Gorbooshev's wife thinks he ought to have a year. Gorbooshev himself thinks it about right. At any rate, he can't get anything to drink for two months.

V

'Goorlev!' calls the secretary clerk.

An overcoatless peasant, carrying a silver-headed cane, steps forward. He is charged with 'insulting the Government' in the person of five members of the Soviet of Yelkhovka, a near-by village. They testify that he called them 'impostors, bandits, and thieves,' and that when they refused his demands he cried out: 'I'm a Communist, and I'll show you who runs Russia.' This is an old feud. Even here the five peasants keep slyly baiting hot-tempered Goorlev. Maybe they will provoke another explosion.

'They are all *koolaks* conspiring against me!' he declares. Swathed in enormous *tooloops*, they do have a distinctly koolak look. But it turns out that not one has more than a single horse or two cows. They are 'middle' peasants. Beaten on point after point, the Communist calls up his record in the Revolution. While these five skulked at home, he fought. 'Are not my services to be taken into consideration?'

'When you stand before a commission of the Communist Party, they are,' replies the Judge; 'but not here. This is a Soviet court. In it you stand like any other citizen.'

The Court's verdict, however, is inconsistent with this statement. 'Fifteen days of compulsory labor. *Taking into account that Goorlev is a Communist*, thirty days extra. A copy of this sentence to be sent to the Party.'

Next came two lads up for insulting a girl. They had painted her door with tar — in a Russian village no slur is worse than this. As is smeared the peasant's door, so is smeared the peasant's daughter. The culprits, frightened, declare they will never do it again. They are let off with a lecture on hooliganism and staying up all night till rooster crow.

Next, a village *baba* who performed criminal operations. Wires and spindles were her surgical instruments. Taking court exhibit A, a bent, rusted knitting needle, which she used in her last case, the Judge asked: —

‘Is this clean?’

‘According to us — clean.’

‘Where did you keep the needle?’

‘On the ikon shelf.’

‘Did you ever disinfect it before using?’

‘Sometimes sprinkled it with holy water.’

She is given six months, but when she promises to cease the practice, sentence is made conditional.

‘Now,’ says the Judge, ‘let us look into this evil. We hold that the right to bear a child or not rests with the woman. If she is sick, or has too large a family, or there is dire necessity, she can come to the Khvalynsk hospital, where skilled physicians will perform the operation free. But how is it generally done? By ignorant babas like this one, often crippling or killing the mothers. Who is to blame for that? You men — you fathers. A girl goes “walking”; nature takes her course. Something happens. The frightened girl must hide it or be driven from home, beaten half to death by her father. But did none of you men go walking before you were married? Do you drive your sons from home, beat them half to death, when they go walking? How is the woman more to blame than the man? Equal rights for all. This is the Soviet position. The village too must come to this.’

VI

Through such homilies the Judge attains one of the objects set before the People’s Court. It becomes a school of citizenship. When the attention of the hearers flagged, he would refresh

the courtroom — and himself — with a story. Most of the stories were like the following, ironic reflections upon the old order.

In Ivanovka Village the old *starosta* was in trouble over the taxes. One night the inspector, a fierce, moustached, foot-stamping giant, came driving up in his troika.

Without seeing the *starosta*, he put up at the pope’s house. A sleepless night for the already worried *starosta*. Worse still, in the morning a poor muzhik tried to commit suicide by hanging himself in his shed. He was cut down, still breathing, and the *starosta*, terribly wrought up, ran off to the inspector to report. Dripping sweat, cap in hand, he stood quaking before the door for a long time, not daring to knock. Finally, crossing himself, he pushed it open, thrust his white head in, and, coughing slightly to attract attention, mumbled: —

‘Your Highness, I’m the *starosta*.’

‘Well!’ roared the inspector, turning to him.

‘Please, sir, there is a muzhik who just hanged himself out there.’

‘What did you do?’

‘We took him down, Your Highness.’

‘Took him down?’ bellowed the inspector, pounding the table. ‘*Svoloch*, pig! By what right? You should have placed guards and reported to the authorities. I’ll teach you —’

But the *starosta* was off to the shed, where he found the muzhik just gaining consciousness. Taking on the tone and manner of the inspector, he roared to the crowd: ‘*Svoloch*, pigs! Go home! Disperse! And you guards pick up the man and hang him again.’

‘But he’s alive!’ they protested.

‘No matter. The inspector has commanded it. Hang him up, and you guards stand at attention.’

Hardly was the gasping victim strung

up when the inspector arrived on the scene.

'Your Highness,' said the starosta, again crossing himself and bending low, 'he begged not to be hung up. But we did it just as Your Highness ordered.'

The story is not so fantastic as might seem. As Nastyrev, a great peasant jurist, says: 'In the eyes of the muzhik, law is something terrible, mysterious, incomprehensible, in the name of which the Government terrorizes, abuses, and mutilates, whips out arrears in taxes, exiles to Siberia, disembowels corpses, pulls down houses, kills stock, drafts into the army, *ad infinitum*.' And Kocharovsky, another old authority on peasant life, says, 'The rôle of law in the life of the peasant is something similar to a dreadful natural phenomenon; the purpose of it is not understood, but its power is felt to be irresistible.'

Every old peasant knows how the officers of the law, arbitrary and aloof and sacrosanct, used to encourage a blind submission to authority, a slavish groveling before them.

VII

In glaring contrast to this old officialdom was the conduct of the new personnel, removing from the court every formality except rising to hear the verdict; wearing no insignia of party or office, unless the red worsted scrolls on the Judge's Novgorod felt boots may be accounted such; sharing with the peasants the decisions and application of the law; taking them into the secret of the making of laws and of judges.

'How did you become a judge?' asked the old Agaphonov.

'The Party told me to go and be a judge. "How can I?" I asked. "Simple enough," they answered. "Start

judging, and you will be a judge." So I did — and here I am.'

All barriers with the Judge were down. He made himself utterly accessible. Each day he held court till seven. Then in our quarters a samovar court till midnight, son Jacob dispensing tea, the Judge dispensing stories and counsel to all who came.

It is like a confessional. A newly married soldier suddenly remembering he has a second wife in the Ukraine. A young Tatar bumping his wife off his wagon and stove in order to bring on a miscarriage. Another girl with child. Shall she give birth to it out of wedlock?

'Of course,' says the Judge.

'But it has no means of support,' says the girl.

'It has a father, has n't it?' says the Judge. 'If he won't pay, tell him you will bring him into court and make him.'

Rarely he thus calls up the strong arm of the law, always offering services of mediation, reconciling hastily married and hastily repentant youth, hot-tempered sons with despotic fathers, and to all would-be litigants quoting the proverb, 'Don't go into the courts. The bast shoe will cost more than the felt boot.'

All this good fellowship of the Judge the younger generation accepts in a natural, matter-of-fact way. But the elders cannot get out of their heads the ancient conception of a judge.

One night came a delegation of four, the spokesman the very image of Ilya Moorometz in the Tretyakov Gallery. With beard sweeping the floor as he bowed, he began with the ancient formula of address to officials: —

'Your Highness!'

'S-sh! Hush!' mumbled the others, tugging at his coat. This salutation they knew was n't right. But what is right?

'Mister!'

'Comrade!'

'Citizen!'

Each salutation, old and new, they try in turn, while the Judge keeps repeating, 'Sit down!' He has to force them into the chairs. But they could not be at ease. For with them holds strong the old idea of a judge as a dignitary of great power, and incidentally of great venality. A personage to be feared — and to be bribed.

'A gift to the judge, the case is decided,' goes an old Russian proverb. Every old peasant knows that, well remembering the old officials junketing with the richer peasants at the Elder's house. There behind the closed doors, around a demijohn of vodka, many cases were decided, generally in favor of the owner of the demijohn or the man who kept it filled.

Over in Yelshanka another Ilya Moorometz, carrying on the old tradition, slipped the Judge a bottle of vodka. Khonin brought the bottle to court, placed it on the table, and told the peasants what had happened.

'I've got the vodka, and, according to Statute 114 of the Criminal Code, the giver gets one year in prison. However, let him go. He was raised in the old ways. But we want new ways. We Communists are trying to clean out the dishonest and put in the honest; then you come around trying to corrupt us. Men are weak. So long as there are peasant bribe-givers, there will be official bribe-takers. To your cry, "Give us honest officials!" we answer, "Give us honest peasants."' "

But Khonin has no cause to complain about his constituency. To a people nurtured in the institutions of autocracy, he comes with the most ultrademocratic of institutions. To a people for centuries kept aloof and in fear of their officials, he comes with ultra *camaraderie*, hands down and

defenseless. I was on the lookout for someone to presume upon this with a gratuitous familiarity, some back-slipping act of rustic boorishness. But there was none. These peasants were worthy of the democracy they were getting. The more he democratized his bearing, the more respect and deference he received. Before one's eyes one could watch the rise of the authority of the Court and the prestige of the Soviet.

Conversely, too, one may see the authority of the ancient faith and the prestige of the old institutions failing. Each trip has its devastating effect. One expedition of the Judge into the village is about equal to one ton of propaganda literature.

'Come to supper!' 'Comrade Judge, come over and we'll set up a samovar.' Scores of these invitations besiege him. So the Judge enters into the homes of the strictest sectarians, to whom anyone not an Old Believer is unclean, a 'worldly' man who contaminates even the dishes out of which he eats. Afterward they must be broken to pieces, or cleansed by a long ceremonial. When an Old Believer baba serves the Judge a plate of cabbage, he warns her, 'It will cost you forty *epitoms* or forty kopecks to get a new plate.'

But she laughs. Is n't the Judge for women? Has n't he praised the 'milk and blood' cheeks of her ten-year-old Marusya? Somehow the Judge is one of their own, and to him the religious interdictions do not apply. So the breach in the old customs is made. Maybe not always for the common good.

Smoking, for example. As hats for women and razors for men, so tobacco in the Old Believers' code is forbidden to all. And the Judge smokes. Four years ago he took up the habit, but he carries it on with all the zeal of a new convert. In the intermission after

the Gorbooshev case, he asked the peasants: —

‘Now will you let me take a smoke?’

‘Smoke! Smoke!’ was the loud reply.

At his quarters he always laid the box of Cannon cigarettes on the table. Anybody might take one. But, as befitting Old Believers, no one did. So stood their forbears against tobacco in the days of Peter the Great; so stand their sons to-day. Thus I wrote it down, and thus my testimony would stand had I not observed one night Foma Karpovitch strangely edging his cap over to the box. Presently some cigarettes disappeared. Then Foma disappeared.

A few minutes later I opened the door of the cow shed to find three forty-year-old muzhiks coughing and blowing smoke through their beards. They tried to look innocent, then laughed, and, like bad boys caught smoking in the barn, swore me not to tell.

‘Papasha,’ said Foma, ‘would abuse us dreadfully; maybe they would try us before the church.’ Foma, however, was not to be caught napping. His line of defense was all laid out. The Old Believers’ interdiction against smoking is based on the text, ‘Not that which goeth into the mouth defileth a man; but that which cometh out of the mouth, this defileth a man.’

‘Look!’ said Foma, emitting a stream of smoke through his nostrils to the great admiration of his fellow accomplices. ‘It does n’t come out of my mouth, but out of my nose.’

‘Evidently the making of a first-class judge in Foma,’ was Khonin’s comment when I told him the story.

A keen sense of the comic spirit in life has the Judge. It makes him look at all things humorously, objectively — even judges.

‘To what end fines and jails?’ he philosophized. ‘How ridiculous to

make men good by doing them evil! How presumptuous to make one man arbiter of the fate of his fellow men!’

These are the ideas of Tolstoy, Hugo, Zola, picked up in youth, reflected now in his conversation. Once I heard a public outburst of them. It was at Popovka, where he set forth the theory of Soviet law: —

Not rigid framework into which the peasant must fit his life, but flexible forms, adjusting themselves to the central practice and interest of the peasants. Not codes springing ready-made from the brains of autocratic rulers, but rules of life drawn up by the people themselves. Followed a referendum upon the proposed change in the marriage code: to declare all marriages legally valid, whether registered in the Soviet or not. Incidentally, though this would raise the status of Church marriages, ninety-five per cent of the peasants voted against it.

Now rose the peasant Borodin, enthusiastically exclaiming, ‘Who would ever dream that the Court would travel out to us, that it would consult with us about the laws? I tell you, brother muzhiks, that this is good!’

Khonin rose, saying, ‘And I will tell you something better. That is, the day will come when there will be no need for a court to come to you — when there will be no militia or codes or jails; no judges, no prosecutors.’

This is Khonin the dreamer, indulging in visions of the Communist society to be. Khonin the realist knows that, in the society that is, the Court must continue to function; that his task is to make it function more effectively, to make himself more efficient. That’s the reason why, at the call of the Party, this winter, he is reluctantly leaving his village for Saratov, to take a year’s course of study to fill up the gaps in his knowledge.

ENGLISH IDYLLS

BY HENRY WILLIAMSON

I. THE CROW STARVER

THE little boy spoke angrily to the dead stick he was dragging; his teeth were white as a weasel's. The stick was a fallen branch of a pine, and he could just drag it; but when the brambles caught in a stump he tugged and heaved in vain. He threw all his weight on the stick, frowning fiercely at it and making a growling sound in his throat. The brambles gave and he staggered backward, then tugged the stick toward his fire, crying, 'Ah, ee would, would ee? He-aa-eh! Ee would, would ee?'

I had walked to the spinney along the right of way through the cornfield. The island of hornbeam and pine rose in the middle of the field's ridge, lapped around by a gentle green sea, for the wheat was raising slender blades into the sunlight. Seeing me, the boy leaped up from beside his fire, seized a clapper, and whirled it round his head. The noise caused a rook three hundred yards away to float into the wind again and drift into the next field.

The boy's face was thin, his cheek bones high. His long hair fell over the collar of his loose coat — he had robbed an odd-me-dod, or scarecrow, of that coat. It hung to his knees. His head turned quickly at my footfall. His eyes were bright and keen as a bird's. He had left school a year before; now he was a crow starver. He liked the job, for he was a peculiar child. I remember seeing him one day, when he was about six years old, dart out of his grannie's cottage and pounce upon a

girl carrying a basket of butter. 'Give it me!' he had screeched, hanging to the basket and making angry growling noises. He had seen an orange in the basket. He hung on until the girl, with a laugh, gave it to the urchin, who ran into his cottage and hid it in the dark corner under the table, his hiding place.

A domed heap of turfs and sticks roughly piled and pleached, with a hole in the side facing northeast, away from the gales, was the crow starver's abode. Into the earth floor stakes had been driven, supporting crosspieces on which rested withies from the brook and bracken from the covert beyond. Two sacks kept him warm.

At dawn he came up from his grannie's cottage and lit his fire. When the daws and rooks came to plunder the sprouting grain, his voice and his engines of alarm drove them away.

'Ulloo-oo-oo-a! Ulloo-oo-oo-a!' His cries floated forlorn with the wailing of the lapwings wheeling and diving above the flinty field. The sound of old tins and baths being walloped came with them, and then his shrill voice and the rattle of his clappers. A length of iron rail hung from a low hornbeam branch, and he beat it with a hammer made from a holly stick pushed through the hole in a flint.

He had a store of birch bark pushed in a niche within his dugout. It burned with a sooty flame, for birch bark is full of oil. A sooty flame of orange bit the twigs — much better kindling than paper, which absorbed the damp. He made tea in an old marmalade

pot and drank it without milk. Sometimes he had a little milk — there were goats in the vicarage garden and cows in the water meadow. In the embers he baked potatoes; sweet brown turnip he ate in slices. No one missed a 'tettie' or a 'root,' and no one saw him take them.

I used to visit him at night, when he lay in the opening of his shelter. The fire cast flame-light and shadow on his grinning squirrel-like face, as skits of wind rested and sped onward, rolling the bright sparks over the ground. He was happy in the spinney. One must not look too closely among the embers of his fire — after all, there were many rabbits, and an occasional one found with puffed face in a pegged noose of brass wire was anyone's property. 'A didden till the snare; a only found 'n in 'n.'

Sixpence a day, from dawn till sunset, banging the rusty tins and whirling the clapper. A mind unformed, a nature without pity, a brain experienced in artfulness. He had never known a father. Probably his mother, who rarely saw him, did not know who was his father. He was already formed into a solitary, living with the wind that was never silent in the pines. Sometimes, in dry weather, he slept there, in dreamless sleep as the brilliant stars of early spring swept westward, and the owls flew to the trees, hooted to their mates in the covert below, listened for mice and young rabbits, and flew on again. He knew few names, but he knew where the birds nested and when the flowers came in the hedgerows.

He looks up and listens to a singing lark; and yet I know, if he finds a nest, he will suck the eggs like a crow.

No — he does not feel the cold at night. A quick grin. No, he 'didden' want to live in a cottage; but the policeman must n't know that.

'Ess, a wull tend to craw starvin' long as a can, a wull, forever, a wull.'

A mixed flock of rooks and jackdaws fly down to dig the grain. The crow starver springs up; the ragged trousers flap round his thin legs. (When they became entirely disgraceful he would beg a new pair from 'his reverence,' and give his own to a scarecrow.)

'Ulloo-oo-oo-a! Ulloo-oo-oo-a!'

Bang, clang, on bath and rail. Rattle of walnut wood on oaken cogs of the clapper. Up rise the birds. The crow starver grins, and suddenly squats by his fire.

'A made 'n spark, didden a, you?'

The spinney stands on the ridge of the wheat field to-day, but the dugout is fallen in and covered with brambles. The bath and tins are rust in the earth; the clapper is probably an antique in a dealer's shop, or hanging on a wall somewhere, a relic of old England. When I walk along the right of way now, I walk in a smaller field; hedges, flints, the brook and the covert below, all have shrunk. The pines are not so tall — the pines where every spring a sparrow hawk used to nest. Once the illusion of boyhood arose out of the wheat and the trees and the birds in the sky, a living thing, brilliant as the sun up through the hornbeam leaves.

Other eyes may be finding it there now; my little boy may see it when he is older; but for me it is lost forever, though sometimes a smell of burning wood or a forlorn far cry may bring a glimpse in the mind. For between that vision of green wheat and singing larks and sunshine and the present lies an immense darkness and corruption, a vast negation of all beauty, as of life broken and moving backward to the original void. Its viewless shadow lies over the spinney to-day, and somewhere in that shadow wanders the ghost of the crow starver, dead in the war, with that old wraith of myself in the well-loved places.

Still the beautiful clouds lie over the downs, the larks are singing, the wheat rising green. There is hope in the wide and open sky.

II. STRANGE BIRDS

Standing by the parapet of London Bridge as it shuddered under the wheels of omnibuses, my feet cold on the pavement, I could imagine the wild eyes of an ancient Briton, suddenly brought back to life, filling with terror that the stars had fallen by the river, their vast flickering glares casting shadows about strange cliffs arisen where the forest was. The sun and the moon had fallen, too, and lay shattered and gleaming on the water; the whole sky hung with a haze of fire. And then out of this strange and dreadful scene arose a wild sweet note, startlingly near, passing in the night; another followed, and the spirit flew up with the familiar voices, away from this place where the grass had been dead so long and no trees grew.

I leaned on the cold stone of the parapet. The arc lamps blazed over the ships alongside the wharves, casting a coppery dust of light on cranes and rigging and burdened men. It was a usual night scene in the world's greatest port. The beautiful cries were gone, beaten under by the gigantic meaningless roar coming out of the stone and iron of the city.

London is old, but the spirit of earth is older, and its wild birds sometimes return to their ancient river haunts. There used to be a kingfisher flying over the reservoir by Hammersmith Bridge, to perch on a snag before the house of William Morris. I saw it twice in 1920, but I have not been there since. I dare say the bird is gone with the black branch in the mud. In flight over the tidal water it drew such a bright line, brilliant blue in the sunlight

as it flew away and ruddy brown as it returned. If thought could give it life, it would be there now, fishing the water's verge for sticklebacks and beetles and shrimps, for all the children to see.

London is the less confining for me when I know that brown owls nest every year in the elms of Hyde Park. Last spring, as I was wandering under one of the great old trees, my hat was struck off my head by the talons of a hen bird whose nest was in the hollow of a branch above. She flew out in the brightest sunlight with her eyes fully opened, alighted halfway up another tree, and uttered her sharp cries of *te-jick, te-jick*. As I lingered under her nest, she flew down again in a swooping curve and would have struck my face if I had not turned my back and ducked. In her frenzy of protection she struck with her whole body, throwing herself at me behind the spread claws of her feet and falling to the ground with the shock.

I have seen woodpeckers in the Park, both the green and the greater-spotted birds; but I have never heard the yaffling laugh of the one or the beak drumming of the other — the mating calls. Perhaps the birds were solitary, or visitants from outlying woods. I searched many of the trees, failing to find any nesting hole or litter of gouged chips beneath.

The little owl (*Athene noctua*) has now strayed into London. Early one morning I saw a bird on the rim of the plash around the eastern fountain of Trafalgar Square; it was staring at the sparrows under the pedestal of the Nelson Column. It flew quickly toward them, snatched one in its claws, and bore it off squealing in the direction of St. Martin's-in-the-Fields. It is quite possible that many of these owls nest in spring on the roofs of London houses. They appear to adapt themselves anywhere, and to live on any

food; pigeons, their eggs, the squabs in the nests, might now be among those things — the swift snipe included — known to nourish these little alien pests, who are in England what rabbits are in Australia.

I have seen kestrel hawks in Greater London, hovering over the waste ground of the gravel pit by the Mazawattee tea factory in New Cross. And every year cuckoos return to the big cemetery at Brockley, flying among the tombstones which fill the fields that half a century ago were under the plough. During a rare space in the rumble of motor transport and drone of tramcars, their calls float faintly to the highroad like an echo of olden summer happiness stealing from that place now set apart for stones and silence.

III. NIGHT MUSIC OF BIRDS

Those restless and wild-piping birds, the waders, are sent wandering by frost to the estuary sand banks, and in the night a thousand cries come through the darkness. The curlews' notes are more distinct, sounding like a chain of gold bubbles rising in a pool vast and starry. As the tide carries its froth up the channels, the cries increase. There are gulls and plover with them, redshank, dunlin, little stint, and shelduck, and the night is a maze of sweet sounds. The curlew is a shy, nervous bird, and in winter he cannot bear to be separated from his fellows. Sometimes by day a flock goes inland, flying high over the ploughlands, with their tossing wake of gulls and rooks and starlings. They stalk in the marshy fields afar off, rising like many eyelashes, dull brown, and scattered at the sight of a man walking two fields away.

One frosty night, as I listened to the lap and gurgle of the sea racing past the gravel ridges, a faint clamor, like

staghounds laid on to the line of a deer far away, came down from the stars. The clamor changed to a trumpeting; the water shook in a net of stars. The night was filled with the rush of vast wings. *Honk! honk!* from stretched necks; a sudden uprising of frail cries from bank to bank, traveling far down into the distance; the harsh *krark!* of an uneasy heron. The wild geese were down from the north.

For an hour, as I stamped on the foreshore to keep warm, I heard other birds joining them: mallard, heard half a mile away by the quick whistle of wings from which pinion feathers were missing; green plover, souging and calling forlornly, *See-o-weet see-o-weet!*

Listening to the slur and trickle and 'bubble-link' in the starlight, I wished I had the power to reproduce in music the variant night cries. Interwoven and continued, they glorified the night. Debussy could have caught and rendered them. Stravinsky could do it; no one knowing the natural life and hearing his original version of 'Nightingale' could doubt his power and his feeling. The same spirit is in Shelley's poetry. The composer of 'The Immortal Hour' could change into music the flare and flicker of Sirius; the dry hiss of wind in the rimed shore grasses; the tiny glitter, as of black spiders' eyes, of the Pleiads; the blue lights of unseen ships lying off Bideford Bay; the luminous smear of starlit mist over the Pebble Ridge; the myriad cries of the birds; the hollow roar of the breakers on the bar. Not only the translation of actual sight and sound into music, but the purest feeling of man who in moments of freedom — of the earth unearthly — becomes one in spirit with the birds, sharing their joyous lives, and hopes arising in their hearts, to be loosed in wildest song when spring comes on the south wind and the earth grows green in the sunshine.

PIRATES IN PARCHMENT

BY LESLIE HOTSON

I

MR. TINK ROBINSON, the Scripture Reader, is a well-informed man. He knows Scripture and a good bit besides. I come to realize this as we sit together in the vestry of St. Botolph's, Aldgate, and I search the ink-corroded leaves of the ancient burial registers for stray facts concerning Humphrey Rowland, horn-breaker, who once gave bail for Christopher Marlowe. The Scripture Reader beguiles the dull intervals with strange fragments of London lore, while the livelier pages of the register show us some curious things. Here, for example, we run upon the burial (1582) of a certain Michael Johnson, 'a duch woman, called the great hulck.' A sobriquet amusing but not perhaps unnatural in a seafaring neighborhood; for Mr. Robinson reminds me that this parish went in those days right down to Wapping. One can picture the mourners towing that ponderous vessel of mortality in to the haven of St. Botolph's, to lay her up for good. . . . I turn more leaves. . . . What have we here? Burial of William Wooful, sometime assistant to a haberdasher 'in Gracious strete, who sufred at Wapping for piracy on the High Seas.'

'Ah,' says Tink Robinson, 'it was down at Execution Dock where they hanged the pirates.' He was formerly of St. George's, Wapping, and is well up on the local history. 'I remember my old aunt telling me about the last pirate they hanged there. She was just

a girl at the time. Down Old Gravel Lane through the crowd came the cart, slow, and in it was the pirate: high hat, frock coat, and buttonhole bokay. But her mother would n't let her look out of the window. "Oh, Mother," says she, "here's a fine sight — maybe the only chance I shall have — of a man to be hanged for a pirate, and you won't even let me look out on him!" But she heard it all from the others afterwards.' Mr. Robinson's aunt's mother evidently did not believe in the salutary effect on children of witnessing executions. She differed in this regard from the Sicilian mothers who, it is said, made a practice of taking all the young ones to such spectacles, and immediately thereafter administering a general thrashing — to make the children lay to heart what they had seen.

The ordinary or land criminal was of course gibbeted at Tyburn (which we now euphemistically call Marble Arch). It was only the pirate who suffered at Wapping. The Elizabethan Samuel Rowlands animadverts upon the latter place in graceful rime: —

For though Pyrates exempted be
From fatal Tyburne's wither'd tree,
They have an Harbour to arrive
Call'd Wapping, where as ill they thrive
As those that ride up Holbourne Hill,
And at the Gallows make their Will.

Wapping's full name, as John Stow reminds us, is Wapping-in-the-Woze (*Woze* meaning 'ooze' or 'mud'); and

he describes it as 'the vsuall place of execution for hanging of Pirats & sea Rouers, at the low water marke, there to remaine, till three tides had ouerflowed them.'

One might readily presume from this that the unfortunate pirates were to be twice executed — once by the grip of the noose, and again by the rising of the tide; but the real reason for giving the high-seas robber a gallows to himself on the mud flats was that he was under the jurisdiction, not of the usual criminal courts, but of the Lord High Admiral. Crimes committed at sea and on the foreshore fell within the Admiral's cognizance, and sentence of death was therefore carried out also within the limits of his authority: that is, on the strip of land which lay below high-water mark.

But what has become of Rowland the horn-breaker, whom I was hunting through the registers? Gone; driven out by pirates. John Stow, Saint Botolph, and Tink Robinson have conspired to abet the sea rovers, and my thoughts are now salty and romantic. Where shall I find the truth of the Elizabethan pirate and his exploits? Where but in the Rolls, or Record Office in Chancery Lane, that vast magazine of romance fresh from life?

To the Rolls! I take my leave of Saint and of Scripture Reader, and in the rushing channel of Aldgate High Street I board a Holborn bus. To run up the companion ladder to the swaying deck is to realize that only a sea-faring nation could have developed this wind-swept, exhilarating, and precarious means of travel. The Londoner has reason to love his bus. 'Enny-maw fehz, plings? . . . Keogh!' These sounds mean that the purser, in the white cap of a ship's officer, wants tuppence. Satisfied, after a first attempt in which I nearly deposit the tuppence on the deck, he goes below, leaving me to reflection. Though there may not be

a berth in the Navy, nor yet among the amphibious Marines, for every able-bodied Englishman, a conductor's lot is quite a happy one. Happy, but not without its dangers; for to-day's *Observer* whispers, as I open it, of a bus rolling so heavily in a stormy passage from Liverpool Street to London Bridge that the conductor went over the side. I feel obscurely that the body should be buried with naval honors. There might be a prayer 'for those in peril in the street.'

Yet the hazards of the buses — that great red fleet of broad, swift, and quiet barges — are as nothing now to what they were in and after the thirties of the last century. To-day we live in jeopardy of life and limb, but in those days there was peril of pocketbook as well. For, though Shillibeer's Original Omnibuses rolled through London streets in politeness and efficiency, there were pirates abroad. Pirates, bearing the same inscription as the Shillibeers, preceded by the word *not* in very small letters. These overcharged passengers and met protests with abuse. New York's 15-5 taxi pirate is not an original villain.

To-day bus piracy is dead. The London conductor may be brisk, but he is neither brusque nor brutal. Boarding a bus one hot summer's day and clambering toward the cool *impériale*, a young woman of my acquaintance was met by an extruded head and a cockney cry of 'Full up on top; roight dahn inter the incubytor, Miss!'

II

Chancery Lane — and I am following its curving descent past the ancient gateway of Lincoln's Inn, beckoned on by the white Gothic towers of the archives of England. Pirates a plenty, I remind myself, are to be found in the records; but I not unnaturally want to

make the acquaintance of a sea thief par excellence. Yet I want no Francis Drake. He had his reward, in gold and honor. No Captain Kidd. He has had more than his share of notoriety for the small amount of actual piracy he had to boast of. My pirate must be not only a great one, but also one who has been more or less lost in undeserved neglect, and therefore somewhat fallen from his bad eminence.

With this resolution, I make for the list of criminal records of the High Court of Admiralty. Here they are, eighty-five volumes and bundles of trials for piracy and other crimes committed on the high seas. And here are the papers of Dr. Julius Cæsar, Queen Elizabeth's Admiralty judge. Most of Cæsar's papers are written in Latin; but an interesting sample from among those in English is the following itemized bill of the Sergeant of the Admiralty for executing five pirates:—

In chardge for Thexecuting of John Agar, Gye Sadler, Willm Elliot, Robt Clarke, John Newton, the 22 of March 1583 [i.e. 1584]			
Imprimis for thexecuting of them, and cutting downe, being v after ij ^s a peece			x ^s
Item, for burying iiij of them			vj ^s
Item, for the Tollers and pynnyon ropes for each, vj ^d		ij ^s	vj ^d
Item, for ij mynisters		x ^s	
Item, for bread and wine to communicate			vj ^d
Item, the mynisters dynner and officers		xiiij ^s iiij ^d	
Item, bread and drinke to the warders		v ^s	
Item, for the Marshalls horse and v men			vj ^s
Item, for carrying of bills to and froe			xij ^d
Item, for the loane of a ladder and carrying the same			xij ^d
Somma			lv ^s iiij ^d

Executed and cut down, five; buried, four. What became of the odd pirate? Was he claimed by his sorrowing friends and relations? Or was he cut down, only to be set up somewhere

else for an example, as the French put it, *pour encourager les autres*?

You notice that the ministers, officers, and warders were allowed to make quite a festal affair of this execution. They dined to the tune of eighteen shillings and fourpence,—albeit March 22, 1583/4 fell on a Sunday, and a Sunday in Lent at that,—whereas the last supper of the five poor pirates cost the Queen only sixpence the lot. A very niggardly send-off for lads of Drake's calling. In fact, the more I read the more I am persuaded that good Queen Bess's glorious days were more specious than spacious, and that Bess herself was a right mean queen. Look again at that bill. She even *borrowed* the ladder from which they were turned off! But I may be doing her an injustice. Perhaps she is only emphasizing her queenly preference for larceny of the grandest kind. Those who rob the Spaniards on a large scale, you remember, she knights. But these little fellows, who meddle with small shipping nearer home, she callously turns off borrowed ladders, to wag hemp in the wind.

Doubtless a stimulating method in its effect, and one which made of the English good sailors and better pirates. Scaliger, a sage Italian observer, said, 'nulli melius piraticam exercent quam Angli'; and Edward Chamberlayne, in his *Angliæ Notitiæ*, remarks, 'Some of those who have more Wit than they can apply well, and a bold dexterity above all *Europeans*, are the most exquisite Pick-Pockets in the World, and the most daring Thieves and Pirats.' Sea thieving became so popular that Elizabeth's successor, James, who loathed piracy on any scale, and desired to make a friend of Spain, struggled throughout his reign to stamp out what he termed 'this accursed plague introduced by Queen Elizabeth.' But he found it had so deeply

infected the spirits of his people that not only did it increase under his eyes, but almost all his seafaring subjects who went to serve foreign princes sooner or later took to piracy.

One might expect, then, to find interesting freebooters in James's reign; and indeed it was here that I found the pirate I was looking for. He was lurking in the State Papers, Domestic, and the Venetian State Papers. The reason why he was there and not in the criminal records of the Admiralty is a simple one: this pirate — the greatest of his generation, and one whose name was babbled with terror in most of the Romance tongues, and horribly mispronounced into the bargain — was never captured, but lived and died a pirate king.

III

Before plunging into the documents, we may advantageously introduce our sea rover with a short view of the Mediterranean piracy which just preceded his career. Of the terror of the Barbary corsairs history and romance have told us much. It is not, however, generally realized how restricted their menace was in the sixteenth century — restricted by their ignorance of navigating sailing vessels of a high freeboard. These African Turks were masters only in handling galleys, whose cruising radius was limited. A great change came at James's accession to the English throne. His threatening proclamations against piracy by his subjects drove English sea dogs farther afield. They found their way to Tunis and Algiers, where they initiated the Barbary corsairs into the art of sailing a ship.

The prime mover in this momentous action was the very man we are following, Captain Jack Ward, the archpirate of Tunis. Andrew Barker, a merchant captain who was Ward's prisoner in

1609, some six years after the English pirate's arrival in the Mediterranean, testifies to the former unskillfulness and insufficiency of the Turks in navigation; 'yet,' he continues, 'of late to my wofull experience, I can witnes, they haue beene readied by the instruction of our apostate countrimen, (I meane of Ward and others who haue beene their commanders) to tackle their Ships, to man and manage a fight.'

It is from Barker, too, that we have all that is known (and a lively picture it makes) of the beginnings in piracy of Jack Ward, 'whose desperate actions hath caused terrour to trauellors by Sea, and whose name hath bred feare in the Marchants at home.' Born poor in Feversham in Kent, he went as a man to Plymouth, where he took a house; 'although,' Barker observes, 'I have neuer heard that he paid his rent.' Most of his time was spent in the alehouse, and 'all the reputation that his owne crue held of him, was but this, that he was a mad rascall, would swear well, drinke stiffe, stick toot, and like a good cocke, hee would neuer out of their damnable pit, If there were either money in his purse, or credible chalke in his hosts hand, being once in.'

At the beginning of James's reign, Barker tells us, Ward took service in a small ship of the Royal Navy, the *Lion's Whelp*. Here he conceived a plan of mutiny and gathered a choice gang of malcontents about him; whereupon 'the poison of his heart disgorged it selfe thus: "My mates, quoth he, what's to be done? here's a scurvy world, and as scurviely we liue in't . . . where's your brim cup, and your full carouse that can make a merrie heart? where are the daies that wee cryed *Cargo* in? . . . when we might sing, sweare, drinke, drab, and kill men as freely, as your *Cakemakers* doe flies?

... when we might lawfully doe that, we shall bee hangd for and we doe now; when the whole Sea was our *Empire* where we robd at will?"

This exhortation fell on ready ears; and, to be brief, Ward and his fellows captured a bark, and later two other vessels, and made for Tunis. Here he entered into agreement with the Bey by which, in return for safe harbor and crews to man the ships, the pirate was to sell his booty only to the Turkish officials.

In the three years 1603-1606 he made an unexampled reputation for undaunted and successful piracy in the Mediterranean, taking such rich cargoes that, despite the cheap rate at which he disposed of his 'purchase' to the Turks, he grew fabulously wealthy. But the richest prize fell to him in the summer of 1607 — a great Venetian *galeazza di mercantia*, the *Reneira Soderina*, of about fourteen hundred tons burthen, with cargo to the value of five hundred thousand crowns: riches beyond the dream of Alnaschar, and a sum which makes Captain Kidd look a mere beginner.

Upon this crowning feat of depredation Ward and his crew of Davy Jones's natural children (who then numbered about three hundred) were inclined to rest. Their leader was no more than human, and hoped to enjoy his wealth in peace. What is more, he was a true-born Englishman, and hankered for home. Urged by both of these desires, Ward began to make secret overtures to the British Government toward securing James's pardon. But it was precisely this affair of the *Soderina* which exasperated Venice to the point of implacability against him, and it is at this juncture, in the autumn of 1607, that Ward makes his picturesque appearance in the copies of Venetian dispatches in the Public Record Office.

IV

A merchant commissioned by Ward came to England and laid before the Venetian ambassador, Zorzi Giustinian, the pirate's offer: if the Doge and Senate would not hinder him in getting a pardon from King James, he would restore to their owners all Venetian goods in his present possession. But at the same time Ward at Tunis was pushing forward ominous preparations for greater piratical raids, in case his proposal were not accepted. He was converting the lofty *Soderina* into a fast cruiser by cutting away her half decks, knocking out many of her knees, and mounting forty pieces of artillery on her lower deck and twenty on her upper. She brought the number of his fighting ships up to six.

Meanwhile the news of the pirate's intentions had come to Venice, and on November 5 the English ambassador, Sir Henry Wotton, addressed the Doge and Senate in the following words: 'Most Serene Prince and your Excellencies. That famous pirate Ward, so well-known in this port for the damage he has done, is beyond a doubt the greatest scoundrel that ever sailed from England.' After a short account of Ward's naval preparations, and his simultaneous endeavors to return to King James's favor, he continued, 'Ward wants to return home and also to keep his plunder, but the King will never assent to that. But if your Serenity could see a way by which he could in part give satisfaction to the gentlemen and citizens who are owners of the booty he has plundered, I do not think the return to the King's favor would be so difficult a matter.' To which the Doge replied, 'Ward will meet with a warm reception if he comes into these waters.' And the Senate gave as their answer: 'The Republic trusts his Majesty to grant no pardon until those who

have suffered are fully indemnified.' Venice was in no forgiving mood.

Through some accident or oversight, James did not formally proclaim and banish Ward as a pirate until the winter of 1607-1608; but he assured Giustinian that he would never pardon Ward without the assent of the Republic, although he added that the politic pirate was spending large sums in Court bribes to obtain the King's grace.

By February 1608, Captain Ward's fleet had grown to eight sail, and the corsair's menace was so instant to any Venetian shipping that ventured beyond Corfu that the Senate ordered three great galleys, specially fitted out with gunners, to reënforce the other men-of-war in convoying the merchant fleet to the Levant. In March, after another ship had fallen a prey to the sea-sharers, Sir Henry Wotton wrote home to England that 'the hatred of him increaseth, and fully as fast, the feare of him.' And to show that Ward's own enmity to the Venetians was also growing, Wotton adds the account of an English captain named Moore, just arrived in Venice, whose ship Ward's racing cruiser fetched up and spoke a little outside the Gulf. 'Tell those flat-caps,' shouted the pirate, 'who have been the occasion that I am banished out of my country, that before I have done with them I will make them sue for my pardon!'

Shortly after this threat, Ward's fortunes received a check, which, however, he surmounted in a fashion truly Napoleonic. His squadron was off the coast of Crete when it was overtaken by a storm. Ward, for reasons best known to himself, left the *Soderina* at the height of the storm in a small boat. Within a short time the great argosy, weakened as she was by having her timbers cut away, went to the bottom with her crew. Of the four hundred

Turks and English on board, four Turks on a raft survived to tell the tale. All Christendom hoped that Ward had been drowned. But not so: the imperishable picaroon had got to one of the other ships in safety. Of course when he put in at Tunis, where the news of the disaster had preceded him, there was a more serious storm to weather. The Tunisian mob, not doubting that he had planned the destruction of the Turkish crew, were ready to tear the Englishman to pieces. Yet by dint of personal courage and an unsurpassed ability to 'swear through a nine-inch plank' Ward not only saved his skin but kept on the right side of the Turkish Government.

V

To get his breath after this hair-raising escape, Ward appears to have cruised up to Ireland — at this period a notorious pirate headquarters — in quest of more ships and men. London merchants were in despair. Few dared venture a cargo out of port, and no one would insure except at ruinous rates. One of the obvious remedies suggested for the intolerable situation was that of heavily arming the merchant vessels. 'This,' wrote Giustinian, the Venetian ambassador, 'finds favor with the nation, which hopes that in this way it may be possible to return to buccaneering; and they are incited not merely by their natural instinct towards it, but also by the rumors of Ward's riches.'

What could James do with a people of this kind? If he armed ships to resist the pirates, they would turn privateers themselves as soon as they got out of sight of land. The King was obliged not only to abandon this plan, but even to publish ordinances against piracy, which included the following provisions: 'Ships are to be examined before being allowed to sail, so as to discover whether

they are armed or not. On the slightest suspicion ships and crews to be seized. Such ships not to be allowed to sail without caution money to twice the value of the ship.' And he finished by ordering all English ships 'to pursue and engage the pirate Ward as the man who above all others has inflicted heavy damage on Christians.' One wonders, after reading the earlier ordinances, how the English ships could engage any enemy, let alone the most terrible pirate in the world!

Upon this, Ward made his last bid for repatriation, offering King James the enormous sum of forty thousand pounds for a pardon. James, being made of sterner stuff than Elizabeth, refused the magnificent bribe, and afterward prided himself not a little on the firmness of his stand. To lose his last hope of being received again in England was a blow to the homesick pirate; but he made one ultimate effort to regain a footing on Christian soil. Applying himself to the Council of Florence, he asked permission to settle in Italy, offering, in return for guarantees that he should not be molested, to bring with him one hundred and fifty thousand crowns in plunder. But, after some dallying with the proposal on the part of the Italians, negotiations were dropped. The supreme hope was gone, and Ward turned Turk. He had made his bed as a renegade, and had now to lie in it. The exasperated Christians, moreover, by various cunning means, strove to make that bed as thorny as possible. The crook-backed Earl of Salisbury sent an English captain named Pepwell to Tunis, to persuade Ward and his confederates 'to forsake their wicked course of life.' Needless to say, he failed; whereupon he did his utmost to destroy Ward. He succeeded in prevailing on a certain Kerson, a German lieutenant of Ward's who hated his chief, to promise to kill the

archpirate in return for protection in England. But while the clever Pepwell was thus occupied in plotting his assassination Ward, by distributing gifts and glowing promises among Pepwell's own English sailors, was winning them over en masse to the piratical career. As for the murderous Kerson, he was shortly after captured by the Venetians and hanged at Zante. Extraordinary skill and devilish luck were Ward's!

After these abortive English attempts, and in that same summer of 1609, the Portuguese took a more successful flyer at the pirate. Don Luis Fasciardo cruised down the African coast with twelve galleons; and, anchoring in the Gulf of Tunis, sent in all the ships' boats under cover of night with artificial fire, and burned the pirate fleet without suffering any loss himself. For any other sea robber this disaster might have spelled ruin, but not for Ward. By the following spring he was out again with a new force, scouring the sea lanes of the Levant trade.

Such a supreme talent as his transcends the circumstances of his time, and has an importance for all history. James no doubt acted according to his lights when he condemned the rascally renegade in unmeasured terms; but events have shown that in reality the puissant pirate was Britain's unconscious benefactor — a forerunner of the great empire-builders. For it was thanks to his endeavors that England, to protect her trade from the Turk, soon found that she had to acquire Gibraltar and Minorca, two priceless imperial possessions, as naval bases. Ward, in training the Turks in improved English piratical methods, unwittingly strengthened England against the world. Julian Corbett, the authority on English sea power in the Mediterranean, reminds us that Harley, as plenipotentiary to the Congress of Utrecht, 1713, was instructed to insist

on English possession of Gibraltar and Port Mahon; and adds the remark, 'So in all the pomp of a European concert the seal was set on the work which Ward had disreputably begun.'

VI

What finally became of our fascinating and scoundrelly empire-builder, whose name in its infinite variety of Ward, Vuerte, Vuer, Vor, Guarda, Guart, Duarte, and so forth, was the terror of the Straits? Nobody knows. News was, however, brought of him in 1615 by William Lithgow, who, in his *Total Discourse of the Rare Adventures & Painefull Peregrinations of long Nineteene Yeares Travayles from Scotland to the most famous Kingdomes in Europe, Asia and Affrica*, has the following circumstantial paragraph:—

Here in Tunneis I met with our English Captayne, generall Waird, once a great Pyrat, and Commaunder at Sea; who in despite of his denied acceptance in England, had turned Turke, and built there a faire Palace, beautified with rich Marble and Alabaster stones: With whom I found domestick, some fifteene circumcised English Runagates, whose lives and Countenances were both alike, even as desperate as disdainfull. Yet old Waird their maister was placable, and joyned me safely with a passing Land conduct to Algieri; yea, and diverse times in my ten dayes staying there, I dyned and supped with him, but lay aboard in the French shippe.

All things considered, it is no doubt pleasanter to read about Ward than to visit him in his alabaster palace; and, though the peregrinating Scot found the old ruffian 'placable' and willing to issue a passport, you observe that he preferred to sleep on board his own ship.

So far as we know, the pirate's active days were now almost done. Another cruise in 1617: we get a glimpse of Ward, under all sail, booming down on the Foscarina of Venice, and leaving her a blazing hulk. A more fleeting glimpse of another raid in the following year, and we lose him. Did he die fighting, or in the Oriental splendor of his palace? Who can tell? Imagination is lost in the golden shimmer of an African sun.

The coasts of high Barbary have faded in the distance. Ward is gone, and his roaring crew. I am in Chancery Lane. This is the Record Office, commanded by the Master of the Rolls. Here are no *bertons*, or tall ships of Tunis.

But surely there is more than a breath of the sea about the place. Listen. Down the corridor comes a great rattle of block and tackle. A pause; then a voice sings out, 'Heave — ho!' and something is hoisted away to be stowed. . . . Again, a shrill whistle, as of a boatswain's mate, floats down an iron companion. One of the men goes quickly. . . . Now they bring in a long heavy bale of mouldering parchment, 'under canvas': it is covered with a thick dunnage of duck, made snug by a line rove through grommets.

After this need a body be surprised to find some of the attendants wearing the flat, round, beribboned cap of the seaman? Or to catch them in the wash-room, ridding their hands of the document dust, and to discover what the sober uniform jacket has concealed? Belt? Braces? Far from it. Their equators are bound with sashes; and the skin of their arms is fantastically tattooed in blue.

NEWBORN

BY JOSEPHINE PRESTON PEABODY

THERE will be no more death;
There will be no more pain.
I fought them: they lie there;
Slain.

Up through the halls of time,
I fought: I overcame.
From the blind Dark beneath the world;
And through the shouting flame.

To win this body bright,
This sheath to hold its lord;
Treasure of breath and being;
Mightier than the sword.

And sundered soul and body,
From death on death of pain,
Rose up to serve this conquering Life,
Even as servants twain.

O far and filled with tidings,
Some air of Earth blows sweet;
But here are songs from star to star;
And the Sun beneath our feet.

IDOLS OF THE CAVE

BY OSWALD COULDREY

POTCHARD, of the Archæological Survey, stood upon the rock's brow and stretched himself luxuriously. He had finished an uncommonly good morning's work. He had been copying a newly found inscription which promised to go far to solve the mystery of the famous monuments on which he was engaged. The publication of this discovery, he reflected, would mean a great gain to science. Incidentally it would add much to his own professional reputation, even when all due credit had been given, as in the generous glory of the moment he was determined that it should be given, to his Brahman assistant, the actual finder, and when his own official superior, who would be in a better position than himself to publish it abroad, had in turn taken his share of honor at the other end. It seemed good to Potchard, in the hour of which I am writing, to be alive; which was to say, to be in possession of reasonable health and a congenial career, to have earned an hour of leisure by hard and fortunate work, to know that a comfortable drink and tiffin would shortly be waiting for him in the rest-house, and in the meanwhile, thanks to the quickening coolness that flowed, like the vast breath of a god, from the glittering bay before him, to be out here pleasurably in the open at high noon — a luxury of which those only will appreciate the full value who, born in temperate latitudes, know how rarely it is obtainable in the Indian plains, at least so far south as Potchard's province lay. It seemed very good to him to

be out here in the open on a pleasant coast, far from the office and the railway, and inhaling blissfully the sense of freedom and solitude and silence, of gray rock and palm and sea, and of the neighborhood of those marvelous monuments of a mysterious antiquity to which he had given his heart.

The enormous boulder upon which he stood, and the thousand others piled and scattered around him and strewn at random along the coast in either direction, were of the kind that commonly outcrop and litter themselves upon the Southern plains and jungles — now in the form almost of monolithic mountains, the seat and throne of many a Dekhan acropolis; now, as here, in a manifestation less vast, but multitudinous, conglomerate, and confused, and sometimes built upon itself in a fashion so fantastic and precarious as to suggest the sportive handiwork of demons. The rock itself is generally of the same character throughout, gray and rounded, bald and dry, stained with broad stripes from the rain, but almost destitute of grass or lichen. In this voluminous and lasting material some forgotten dynasty of the South had chosen here to engrave, in symbols proportionately vast, the dark record of its power. One ponderous ridge of granite had been carved into the likeness of seven pagan minsters of the prime, complete, with all their clustering cells and pillared halls, reduced indeed from the scale of thronged originals, but still a wonder of gigantic sculpture. Beyond these curious monuments, with their

stone guard of colossal bulls, lions, and elephants, rose the graceful spire of another and somewhat later temple of builded stones, the most romantic of all the relics of this forgotten sea mart, within whose desolate forecourt the waves themselves now bowed in adoration, and washed with tidal punctuality the pedestal of the god's columnar standard. All this was now hidden from Potchard's view by the giant rockeries between, and by a comparatively modern temenos of Vishnu, enclosed in a great square of wall, which the reputed sanctity of the spot still kept drowsily alive; but pillared chambers had been carved by the same antique art out of the core of several rocks in the immediate neighborhood; and the naked shoreward face of the great boulder upon the crown of which Potchard himself stood bore a magnificent bas-relief, famous — in photographs — to archaeologists throughout the world, and representing, with a vigor and realism generally lacking in later Indian art, and at the same time with a mastery and finish possible only in a developed and successful school, some celebrated miracle or act of worship, in which a cloud of gods and sages, fabulous beings, and forest animals, including a family of stately elephants, nearly as large as life, took their secular and silent part.

The subject of this crowning masterpiece of the solitudes, though well known to that oracular authority, Tradition, had long been in doubt among those who knew better; and Potchard, having nothing else to do, took a vague resolve to look again at the bas-relief on his way home to tiffin, in order to review upon the spot the latest arguments that had been put forward on the subject. His way to the lower ground, however, led him past the pillared front of one of those shallow porches cut into the rock which have been already mentioned. In this

elemental chamber he had already noticed, while talking that morning to his assistant in the course of his tour of inspection, the existence of a peculiar echo; he now turned aside and entered the portico with the object of finding out the exact nature of this peculiarity.

The chamber — a work, as he now knew, of the seventh century of our era — was very neatly finished, and as fresh as if it had been carved last year. Grotesque pillars propped the lintel, and large mythological panels in bas-relief adorned the walls at the back and sides. By shouting and singing scales before these graven images in a way that would have appeared comic to an observer unacquainted with his object, Potchard discovered that the echoes of the cave remained comparatively dull to most noises, but if one particular note of the scale was mooted the rock responded like a bell.

While a moiety of Potchard was engaged in the pursuit, and exploitation, of this pretty discovery, his idle eye fell to considering the sculptures by which he was surrounded. The panel which occupied the side wall represented, in that vigorous and early style whose quality has been already indicated, the delightful Earth goddess lifted in triumph out of the Deluge by the boar-headed incarnation of Vishnu. In the neighboring panel at the back the same deity's yet more honorable bride, Sri Lakshmi, goddess of Prosperity, was undergoing the royal rite of lustration, or enjoying a shower bath, at the hands — for so the early Aryans reverently regarded the dexterous member used — of her attendant elephants. This popular subject, stereotyped later into an almost heraldic formula, was here treated with a freedom which looked novel to the reverted eyes of the modern. The goddess, naked as Aphrodite, sat throned on a lotus in the centre. Beneath her on either side a

file of naked girls passed waterpots from hand to hand. The elephants, two vaguely huge and jutting heads that filled the upper region of the panel as it were with a condensation or stone metaphor of opposing thunderclouds, received and lifted the pitchers in their serviceable coils, and poured the water over the body of the goddess, the effect of movement being cleverly suggested, as on the Parthenon frieze or in a modern cinematograph, by representing each figure at a different stage of the action.

Potchard was of course well acquainted professionally with these and all the sculptures of the site. Professionally, again, he was proud of them, as the curator of a museum is proud of his best specimens. But although — perhaps because — he had once been through the mill of an English art school, he had never felt them as living art, nor learned the secret, if any existed, of their beauty. To-day, however, he was suddenly caught unawares by the grace of the little figure of the Earth goddess as by a trick of living loveliness; and as he turned thence, with new interest and respect, to study the adjoining panel of the Lakshmi of the Elephants, the dormant art student within him gradually became aware that he was looking at a composition of extraordinary beauty and power, articulate in symbols different indeed from those of his own tradition, yet perhaps no further than they from the nature which guided both. The spacing and balance of the design, Potchard said to himself in the dialect of the studio, were admirable; and the contrast between the slender, languid beauty of the naked girls and the uncouth and massive heads of the elephants — At this point the thread of his mental soliloquy got lost in the reality of delightful contemplation.

Almost at the same instant a brown

Hindu stepped suddenly and noiselessly from behind him, laid his hand upon the trunk of one of the elephants, and seemed to be trying to remove some dust or other matter from the angle of the contour.

‘Here, what are you doing?’ Potchard called out sharply in Tamil, taking the newcomer for one of the folk from the Vishnu temple hard by. ‘Be good enough to leave those images alone.’

The stranger turned a handsome, frank South Indian face, showing his fine teeth in a smile.

‘You need not fear,’ he said, ‘that I shall harm the images. I can neither mar nor mend them. Moreover, I do not wish to mar them, for it was I that made them.’

‘Made them, did you?’ said Potchard with a laugh. ‘That is interesting. How long ago do you think those images were made?’

The man meditated a moment. ‘They were made long, long ago,’ he said. ‘They were made in the reign of the king Mamalla, the great Pallava.’

Potchard gaped. This was precisely the information which he had deciphered that morning from the newly discovered inscription, and which he thought to be known to himself and his assistant alone of living men, for the local traditions regarding the origin of the monuments were vague and fantastic, and the inscriptions were not understood. Apparently this fellow had been talking to the assistant; but, as he appeared to be crazy, it was strange that he should grasp, as he seemed to do, the significance of the information.

He was a man of medium height, but so well proportioned as to appear almost tall. He was girt with the usual South Indian loin cloth to the ankles, and went naked from the waist upward, like all the people of the South where Muslim or Western sophistication has not asserted itself. His long

hair was tied in a *chignon*, not at the back, as is the general fashion in the Tamil country, but somewhat aside, as they use it in Malabar; and the *chignon* itself was much larger than usual. His face was aquiline, and would have been exceptionally handsome, even to Western eyes, but for a certain downward curve and protrusion of the lower lip, which, however, by no means impaired the distinction though it broke the beauty of the features.

Potchard surveyed the man with interest, slowly recovering from his surprise. In India it is not entirely uncommon to meet mystically disposed persons who make paradoxical assertions and extravagant claims; and Potchard was in the humor to enter into the fun of the thing.

‘If you made those images in the reign of King Mamalla, my friend,’ he remarked, ‘you must have undergone a great many rebirths in the meanwhile. I wonder you have n’t forgotten the incident.’

The man looked at Potchard with an oddly serious and serene expression.

‘The artist, sir, is free from rebirths,’ he said, ‘so long as his works endure on earth; for his former individuality endures with them. When they are hidden or neglected it sleeps in them; but when they are admired it wakes again in the gazer’s heart, and rejoices.’

‘As admirer or admired?’ asked Potchard quizzically.

‘That, sir, is a difficult problem in logic, which I cannot explain. Perhaps there is no real difference at all. Are we not all one in Brahma, the Ultimate Soul? I only know that contemplation wakes, and is glad.’

The hidebound Englishman did not quite follow this, for he proceeded to ask: ‘Do you not grow tired of contemplating your own work so many times, and after all these years?’

‘Ah, sir, you are not an artist, or you

would not put the question. Have you never seen a living artist brood upon his own work done? Do you know how often he will return to the same employment, even when he has so many other calls upon him, and fresh beauty to achieve? Will that need of his grow less, do you think, when he can create no longer? To know the beauty of his own work done, that is the artist’s heaven. *There* is a faculty that will outlast the hardest material that the earth affords him to shape his thought in. I used to think that I revised my work so that I might alter and improve it; but now I can alter it no longer, nor often wish to alter it, indeed, for we learn little in the world of shadows; but I still take a tireless pleasure in looking it over. You must remember that the soul of the dead artist suffers long eclipses, incalculable intervals of sleep and oblivion, in which perhaps there lies some quick virtue of forgetfulness that makes awakening always sweet. If all the world should come together and stand at gaze throughout the centuries, admiring these images of mine, perhaps I might be weary of my bliss; but they don’t.’

‘You have a healthy appetite for a ghost, my friend,’ said Potchard; ‘but how is it that I have never seen you before? For this is not the first time that I have admired your masterpieces.’

‘You have not rightly admired them before,’ replied the other. ‘Did you not notice how the echo of this chamber chimes in answer to one note only, and is deaf to all the others? In the same way there is only one mood of the mind that can call up the living secret of a work of art. The rest approach it vainly.’

‘If this is fooling,’ thought Potchard, ‘at least it is excellent fooling,’ and fragmentary phrases and vaguely remembered anecdotes from spiritualistic writers began to occur to him. If he

were really assisting at any such phenomenon — *what* an opportunity!

He pulled a notebook out of his pocket; but the sight of it seemed to make the stranger ill, and he put it away again.

'This Mamalla, now, the great Pallava — what manner of man was he?' Potchard asked, as it were casually.

The other's eyes kindled. 'He was a great king,' he replied, 'and his navies sailed upon the sea; he revered the gods and was kind to merchants; but especially he loved and rewarded the artists.' He paused, pleasantly reflective.

'What else did he love?' Potchard asked encouragingly.

'Beautiful women,' replied the other readily, 'and he loved to have us carve their beauty in the rock. See how beautiful are the girls carrying the pitchers there. But that is partly a trick,' he added with a laugh, 'for the girls and the elephants each make the other appear more beautiful by comparison. Look at the figure of the Earth goddess in the next panel,' and he indicated the figure which had first caught Potchard's attention that morning. 'That figure pleased the King particularly. See how prettily she sits poised on the knee of the mighty Boar god; and again the head of the beast by comparison makes her lovelier. Is she not beautiful?'

'Certainly,' Potchard admitted a little awkwardly. 'What is he doing? Kissing her?'

'Smelling her,' was the prompt reply. 'The Boar has raised her above the floods; he is smelling the fresh fragrance of the Earth.' And Potchard, though slightly shocked, could not but recognize the ingenuous aptness, the rude poetry of the thought.

'That was not my own idea,' continued the stranger pleasantly. 'It was told me by a Brahman poet. The

Brahmans had beautiful ideas about the gods, and beautiful stories. But sometimes they would hinder an artist, rather than help him. They insisted that the gods should have four arms each, and sometimes six or eight. Do you believe, sir,' and he turned to Potchard confidentially, 'that the gods have so many arms?'

'That, my good sir, is a question which you ought to be in a better position to answer than I am,' said Potchard smiling.

'Why?' asked the other. 'I know no more of the gods now than when I was alive in the flesh. Are they not the gods of the living? But I shall never believe that they have all those arms. To have so many would not be beautiful, and the gods must surely be beautiful. I always used to hide away the odd arms as well as I could, so that no one but the bigots need notice them. See the Vishnu there, and yonder, again,' and he indicated the figures on various panels.

Potchard assented vigorously. He was experiencing a delightful sense of intimacy with an age and people about whom, in company with other archaeologists, he had long been curious. He was beginning, however, to reproach himself for wasting an opportunity so precious as the present in talking what he called 'artistic shop,' however archaic, and he cast about to turn the conversation into more profitable channels.

'Where did these Pallavas originally come from?' he asked suddenly, fingering the notebook in his pocket. It was a momentous question, and its right answer would mean fame and a new chapter of Indian history.

The stranger did not seem to hear, and Potchard, with concealed suspense, repeated his question. He refrained from looking at the other lest he should seem too eager, for he knew that what

we eagerly desire is harder to obtain from others than what we affect to despise.

'Come from?' echoed the stranger absent-mindedly, after another painful pause. 'Come from? Originally?' His far-away voice seemed to be growing fainter.

Suddenly he gripped the patient Potchard's arm with an unspectral vigor which startled the archæologist.

'See,' he said, in a soft but vigorous tone of glee, pointing to the panel of the elephants.

A little striped squirrel, a creature almost as common in India as the house sparrow in England, picked its way delicately across the forehead of the right-hand elephant, leaped across to the other for a moment, then, descending by way of the beast's trunk and the shoulder of the nearest handmaiden, dropped to the floor and ran away.

The stranger's enjoyment must have been contagious, for Potchard actually failed for the moment to notice his own disappointment, in the simple delight of that little casual spectacle, that freak of contrast pretty and pointed as a Greek epigram, that merry twinkle of delicate life and color and agility across the huge features of the hoary monument.

'Ah, very pretty,' said the archæologist, forgetting the Pallavas and speaking as to a friend. 'I have often noticed that the little living creatures that haunt such a monumental site as this, the lizards and squirrels, the green parrots, doves, and other birds, seem somehow prettier and pleasanter to the eye than in the open woods. Is it because life is the one thing wanting here, the lost, irrevocable treasure? Or is it merely as a relief to the much dead art of the place?'

The Viswa-karma smiled.

'No doubt it is difficult for art to emulate the variety and minuteness of

nature,' he admitted, 'but that subtle glorification, which you have observed, of the beauty even of the commonest living creatures here is partly due, I believe, to the influence of all the souls of the dead artists that are sleeping around you, for one of the noblest functions of the artist is to glorify the world we live in, or rather to lend men eyes so that they may see more clearly the glory that is there already.'

Through the lulling charm of the stranger's eloquence Potchard's professional conscience began to prick him again. 'But you were about to tell me, when the squirrel interrupted us,' said he, 'something concerning the Pallavas.'

'Was I?' said the artist, all the enthusiasm dying out of his eyes. 'What was it?'

'Where they originally came from.'

'Came from?' said the other inattentively; and then again, after an interval, as if he were trying to collect himself, 'Came from?'

Each time the voice was weaker. His stature also seemed to shrink, and Potchard, gazing desperately expectant, suddenly thought he began to see a glimpse of one of the columns of the chamber through the man's naked body. Potchard made a grab at his notebook. He thought vaguely of Hamlet and his 'tables,' and the ghost who had to leave at cockcrow.

'Be quick and brief, for heaven's sake,' he cried, tense over his notebook, pencil ready, ears at strain, for the voice now was very faint.

'Originally came from—'

There was another long pause. Potchard looked up—and found the stranger gone.

'Why,' said he, 'did n't I stick to the art "shop"? I might at least have found out what was the subject of the great bas-relief.'

He sat down disconsolately on the

sill of the chamber and glared into the sunlight. The extravagant hopes which he had been subconsciously cherishing, of revelations which were to confound his archæological brethren, were suddenly curtailed. It remained only to make the most of what was left. He put his notebook on his knee and bit the end of his pencil.

As one who has in a dream apparently created some immortal work of literature — an heroic poem, perhaps, or a volume of epoch-making discoveries in thought or science — finds, as he approaches step by step the confines of the waking world, that the jewels of his eloquence turn one by one to common pebbles, and the fruit of his invention to ashes, so it fared with Potchard the

archæologist as he sat upon the threshold of the rock chapel; until he was fain to confess that there was not one of those wonderful revelations, whose combined effect had been to produce so thrilling a sense of familiarity with the unrecorded past, which could not have been deduced in the course of a discerning and sympathetic study of the sculptures themselves.

Sympathetic and discerning study of old art, however, even when it falls short of inspiration, is rare enough in archæological reports to excite notice. When Potchard produced his next account his brethren said that Potchard was inspired.

For once Potchard felt bound to admit that they were right.

OVERFLOW NOTES

BY HELEN MURPHY

TALLULAH, LOUISIANA
May 3, 1927

I AWOKE at five o'clock this morning, possibly because of the strain under which we've lived for the past three weeks, hourly dreading, hourly expecting an overflow; but more likely because of the subdued but insistent meows of Herman, standing by my bed, tapping my cheek with his black paw. I remonstrated that a cat born in the purlieus of New York City should not so far forget metropolitan customs as to demand breakfast at such an hour, but I arose and went with him to the ice box; for Herman is a little black tsar, and we his grumbling but adoring minions.

He ate daintily, washed his face, then

asked to be let out, and as I opened the door I saw the huge trucks filled to 'standing room only' with Negroes going to work on the levee. They were shouting and laughing, chewing tobacco and swearing, but going cheerfully to delve in the muck and the danger, driving heavy piles, tying willow mattresses, filling countless thousands of sacks with earth to top the already high levee crest.

How our men — white and black, even the high-school boys — have toiled, day and night, through these horrible weeks! Everything known to engineering ingenuity is being done to hold back the sullen, swollen river which looms above us sixty feet on the Vicksburg gauge.

Watching the Negroes out of sight, I was reminded of the colored troops I had seen, nine years ago, quartered overnight in the Armory at Broadway and Sixty-seventh Street, New York. I had talked to them, for Negroes, though often irresponsible, are never unresponsive; I half hoped I might find in the groups of brown and black and yellow a familiar face — a 'darky' from home! The next morning, when I passed, the Armory was empty and still: some scattered ashes, a little débris, a heavy odor — the colored troops had gone across.

I was roused from these musings by another sound on the highway — the thud, thud of many feet. There went the Scotts' mules, seemingly an unending line: the stock from three plantations, where the ploughing and planting had gone on methodically, in spite of high-water menace. It was a gamble for the planter; if the flood came, seed, labor, wages — all would be lost; if not, why, he was that much ahead of the game. But even the most optimistic souls were becoming depressed by an ever-rising river and appalling reports from the Greenville flood, and those who had not sent their stock out of the state were heading them now for Transylvania, twenty miles above, where an old and well-sodded levee would give them at least a place to stand on.

I turned into the house as black Martha and yellow Mary, with Uncle Shepherd hobbling in their wake, sauntered into the yard, and they soon set the household machinery going; but we were a little too anxious to eat and too preoccupied to note the dust in corners.

Uncle Shepherd and I went to work in the flowers, his twisted old hands slaying weeds and grass and sparing the frailest flower. He was droning to me of the glory of 'dem days,' when an ominous sound disturbed us — a heavy tramping, a rushing and scuffling; deep

lowing and anguished bleating; the hissing of whips and shouting of voices; then, all at once, our quiet, shady street was submerged in an onrush of terrified cattle.

Hundreds of them! Cows, seeking lost calves; great bulls, frothing and bellowing; yearlings with fear in their soft eyes; young calves, stumbling in weariness.

It was Mr. Moberly's herd of handsome Herefords, and I wondered if, in their confusion, they'd ever reach the higher ground. At the corner they stampeded and many went, plunging and bellowing, across the yard, cutting the turf, breaking the shrubs, crashing into the trellis where the queen's wreath and star jasmine grow. I rushed among them, helplessly waving them back, while Uncle Shepherd, from his retreat on the porch, implored me to come back before I was 'tromped clean to death.'

I was not afraid of being 'tromped'; the poor creatures were not vicious, but utterly confused at the break in their tranquil lives, by still waters, in green pastures. The incident, however, disturbed me; it seemed an omen of worse to come, and when, late in the afternoon, the whistle of the fire engine — the preconcerted warning that the levee had given away — screamed out in shattering shrillness, I found myself strangely quiet, wondering dully, 'Where — where has it given way?'

We ran downstairs and found Mrs. Agee, white and breathless, at the door. 'At Milliken's Bend — it's gone in at Milliken's Bend!' she cried in answer to our questioning eyes.

And yet I could not rouse myself to the horror of a break at that spot, only six miles away, with a few trees, a strip of woodland, to check the cruel currents and crushing body of water hurling toward us. I thought, irrelevantly, of the skirmish between Grant's forces

and Confederate guerrillas, at Milliken's Bend, during the Civil War; of the little town, rising from the ashes of carnage into increased prosperity — a shipping point of importance, where stately steamboats dropped their stage planks and disgorged immense piles of freight, reloading with cotton and other produce from the neighboring plantations. I could see the little town hall, serving, alternately, as lodge, school-house, and ballroom, its worn floor richly polished by untiring young feet.

Then I remembered Milliken's Bend as it has been for many years: deserted, encroached upon by new levees, claimed by the ruthless river. A few scraggly shrubs mark the sites of lovely gardens; the old Yerger house, former abode of many children and much hospitality, stands alone, crumbling and shabby, but obviously looking down on the fishermen's huts and squatters' tents scattered at intervals.

Well, Milliken's Bend was having its revenge — its old enemy was placing it in the limelight again.

After the first deadening shock our town awakened to frantic activity. There was no outcry. Work was to be done, and people with white, tense faces set themselves to do it.

In response to urgent warnings many had raised their household goods on to scaffolds, or had taken them to warehouses and two-story buildings; those who had not were struggling feverishly. Automobiles tore through the streets; trucks thundered by, piled high with trunks, furniture, chicken coops, hand-boxes, pets, and people — all headed for the railroad, where passenger coaches, box cars, cattle cars, flats, and locomotives had been stationed for weeks, steam up, ready to rush to a place of safety.

Having a two-story house, we preferred to stay at home, and made our plans accordingly. We elevated every-

thing on the first floor, took down doors and mantels, carried the coal-oil stove and other culinary adjuncts upstairs, requisitioned one of the bathrooms as a kitchen, and made ready for light housekeeping.

Another reminder of New York days!

We were well stocked with canned goods and staple provisions, also with lamps and candles, against the dread time when our power plant would be put out of commission, but before running my car on to the platform in McCaffery's garage we made a farewell trip for grain for the chickens and meat for Herman — the last steak that pampered rascal would see for many days.

Everywhere people were working, nailing, hammering, lifting, struggling; and always that steady trek to the railroad. Trains were loading as rapidly as possible, running to Delhi, safe and dry on Bayou Maçon's red hills, then back again for another load, and in my heart I gave credit and praise to the I. C. and the Missouri Pacific for standing by us so valiantly. Our worst trial would come when they would be compelled to leave us, all forlorn, cut off by an inland sea from communication with the outside world.

Always we were asking one another, 'When will the water reach us? How high will it come?' And over and over we wondered if people in the outlying districts, up the highway, down the bayou, had been brought to safety; if the cattle had all been cared for; if our platforms were high enough; if we'd be able to catch our chickens; and what would become of the poor stray dogs and cats.

Through all the noise and confusion the sun shone gorgeously, birds poured out a glory of song, and flowers bloomed till our little town was one big bouquet. They seemed to know, poor things, that they must crowd all their beauty and perfume into one short hour.

With the coming of night — a night even more glorious than the day had been, a young moon casting tremulous shadows, soft breezes rippling the leaves — there was but little rest. How could there be, with locomotives shrieking and shunting, cars chugging back and forth, chickens squawking and fluttering, and an incessant whirling of saws and battering of hammers! A magnificent symphony of distress and unrest!

An aviator, flying from the scene of disaster, had comforted us with the information that the break was not at Milliken's Bend after all, but nearer Cabin Teele, and that it was widening slowly, the crest having given way, but the body of the levee yet holding, so the water would not reach us so soon as we had expected.

May 4, 1927

In the stillness of dawn, with Herman at my heels, I crept out into my garden — a fairy garden it seemed in that uncertain, rosy light — and with a sickness in my heart I drank in the beauty of my flowers: roses blooming prodigally, deep crimson, scarlet, and blush, rich yellow and silver white; tall hollyhocks, in multicolored bonnets, peeping over the fence; larkspur, blue and pink and white, springing everywhere; pansies and violets, blending their modest fragrance with the vivid perfume of queenly Easter lilies.

'Oh, Herman,' I moaned, 'to think in a little while they will all be gone! To think that ugly brown water can wash out so much loveliness!' But Herman switched his tail and chased after a cricket; and as I returned to the house I looked north, and far over the fields a glistening sheet was unrolling steadily and the dull roar of rushing water broke on my ears. At ten o'clock it had reached the Fair Grounds, surging over the race track, climbing up the grand

stand; then on into Sheriff Sevier's yard, smothering Mary's pretty flowers; rushing through the ditches, filling the low places till by night our streets were long mirrors, reflecting eerie shadows.

We tied our little homemade bateau to the back steps, ready for action, and carefully corralled Herman, who since emancipation from apartment life had become a 'regular fellow,' given to staying out nights, and we had no idea of having him caught away from us.

We managed to get Mamma off on the last refugee train this afternoon. She rebelled, being of pioneer stuff, but we did not know what might be ahead of us, and in case of illness there would be no ice, no lemons, nor other luxuries. We took her to the train at eleven o'clock in the morning, but it did not get off till 4 P.M.

All that time loading and shunting, running through the water to Mound to pick up cattle, horses, and terrified stragglers; back again to find belated groups, with bundles under their arms, dogs shivering at their heels, coops of chickens, cages of birds, an occasional ruminating goat, even boxes with pet squirrels, huddled around. It might have been ludicrous if it had not been so pathetic. I thought of the exiles of Acadie who sought shelter in Louisiana, and of how many of their descendants were now fleeing from the oppression of an unprecedented flood. I shall not soon forget the faces of those who were leaving.

We watched the water take the vegetable garden this evening: corn waving high green banners and promising luscious roasting ears; peas loaded with plump pods; butter beans, okra, beets, lettuce — all the good things that add so much to our living — destroyed utterly!

We went early to bed, worn out with the excitement and exertion of the day, but now another noise made sleep all

but impossible — the frogs! How could there be so many frogs in one small world! Every gradation of sound they emitted, from deep bass to C in alt. Tree frogs, spring frogs, toad frogs, bullfrogs, all meeting in one glad and grand reunion and raising their voices in a concerted pæan of praise for the waters that be. Not since the overflow of 1912 had such a joy been theirs!

May 5, 1927

The water rose rapidly last night; it is now lapping on our top step, and by to-morrow will be in the house. Even then we shall not be so badly off as some of our neighbors. Mr. Bethea, after raising his scaffolds till his furniture hit the ceiling, has moved up into his loft and presents a unique appearance emerging from the ventilator under the eaves and stepping into his boat, anchored to the roof. Mexican Joe's little shack, down by the woods, is submerged up to the comb. It will be a long while before Joe, a pack on his back, will take up his march down our streets, chanting: —

'Red hot! Red hot!
Hot tamales, good and fine;
Two for a nickel, five for a dime —
Would give you more,
But they ain't none of mine.
Red hot! Red hot!'

We have had many callers to-day, in many kinds of crafts: high-powered motor boats, graceful skiffs, slender pirogues, blunt-nosed bateaus, canvas canoes, and rafts. It is amazing that so many should appear all of a sudden, and that everyone handles his or her craft with the apparent ease of long practice. We are an adaptable people and, having accepted the inevitable, everybody seems cheerful and determined to make the best of an unfortunate situation.

Our big Orpington rooster awoke his

harem of yellow beauties with vibrant calls this morning, nothing daunted at being confined in a coop on top of the woodhouse, with no earth to dust in, no worms to scratch for; 'Pretty Polly,' from his perch on the upper gallery, screams 'Hello!' and 'How-dee-dew!' to the boats that pass; 'Ziggy,' swinging in his cage, tries to outsing the mocking bird in the big oak, and flutters his golden wings in rivalry of the cardinal that comes for crumbs on the window sill; the docile capon, with his adopted children, has settled down to an enforced domesticity.

Only Herman remains disconsolate and perturbed. He hates the roar of the motor boats, the click of the oars, the drone of airplanes, the constant lapping of water. He misses his meat and his mice, and, most of all, his trysts with kindred spirits in the still shadows of summer nights. He thinks, with me, that the rumble of the subway, the roar of the L, an abode six flights in the air, a potted palm for shrubbery, were not so bad after all.

May 6, 1927

The water is well into the house this morning. It has a dampening effect on one's spirits to see it spreading over the floors, creeping past the baseboard, staining the wall paper; but we are very cosy and orderly upstairs and house-keeping goes on apace.

Mr. Shields came in his big boat this noon, bringing bread, milk, and eggs, which are all most acceptable. His plantation, 'Roosevelt,' fifteen miles above us, is out of the water, and the Taylors' herd of Jerseys is being pastured there. Agnes, with her unfailing thoughtfulness, sent us a box of delicious tea cakes. That is what I call being a really good Samaritan!

The Chapmans' white duck appeared in their yard, from heaven only knows where, to-day, and quacked and called

so piteously that we took a pan of grain and went out to feed her; but a frightened duck in five feet of water is a vanishing equation, so we left the corn on a floating log and hoped she'd find it. Late in the afternoon we spied her, preened and proud, swimming with a handsome mate. So it was not her nine little ones for whom she mourned!

May 7, 1927

The law of compensation exemplifies itself in the wonderful weather we are having — a glory of sunshine, with soft breezes, and the few flowers that are not submerged are stimulated by the moisture and blooming as never before. Every morning I paddle around my own and my absent neighbors' yards, and gather great bunches of roses, honeysuckle, althæa, and cannas. My Maréchal Niel, by the steps, is the loveliest thing one could imagine — great festoons of rich yellow blossoms, flanked by leaves of tenderest green, and that heavenly fragrance not equaled by any other rose. When the water goes off I shall cut it back and cover the roots with hay in a desperate effort to save it.

But it will be a long and weary wait before the water goes off. It is now four days since the break and the crevasse is widening and deepening all the time. It is reported 2100 feet wide, and it rushes through with a deafening roar, seething and tumbling like the rapids of Niagara, except in the very centre, where its great depth makes it flow with a treacherous smoothness.

All houses near by and the stretch of woods have been swept away and crumbled like kindling wood. Yet not a hundred yards from the break several hundred Negroes and a few white people, with their accompanying train of dogs, horses, cattle, and pigs, are camping on the levee, calmly pursuing their daily lives. They spread their

mattresses and scanty covers on the sod, regardless of sun or rain, place their battered remnants of furniture about them, build their fires, prepare their meals, feed their stock, comfort their crying babies, and go their ways with a patient stoicism. They have been through deadly peril, they have gazed on sickening sights, yet they are alive — there will be another chance.

When I think of those who have lost so much; those whose homes have been swept away, whose fortunes have crumbled as the yellow tide swept over wide acres of growing cotton and corn; those who have helplessly watched their live stock drown and listened to the terrified screams of their children — when I think of all these I am ashamed that I should grumble over stained paper and buckled floors, that I should pine for ice and fruit, letters and newspapers, that I should lament the defection of Martha and Mary, growing fat on 'gov'ment rations' in somnolent idleness, while I wrestle with pots and mop floors; and I resolve to grieve no more, not even for my lost posies, nor for the reproach in my cat's yellow eyes when I give him canned milk in lieu of Jersey cream.

May 8, 1927

After the manner of Mr. Pepys, 'up very much betimes this morning and as perfect Sabbath day as ever I did see!' A wonderful stillness hung over the town; the parade of boats had not begun; even the birds called to each other gently; the tall smokestacks of the oil mill pointed heavenward like grim accusing fingers, the expensive machinery rusting beneath a yellow slime, the gin loft sacrificing its lint and seed to shelter homeless Negroes, a brace of hunting dogs, a flivver, a church organ, and a balky mule — so are the channels of industry diverted!

I spied Mr. Marvin Lewis on the top

of his garage, sketched boldly against the morning sky, and I half looked to see him turn his face to the east and utter the muezzin's cry; but he only waved a hand and climbed into a wire cage to feed his chicks. That reminded me of our modified Noah's Ark, so my husband and I went the rounds of our birds and beasts, not forgetting the mother cat and three bedraggled kittens which we had rescued, wet and famished, in Miss Emmie's crape myrtle tree; nor the little yellow cur which, after days in the water, clambered, more dead than alive, on to our step. He was not very acceptable, in appearance or personality, to Herman, so we quartered him in the garage loft, and upon our visits the little fellow forgets his food in humble joy over human companionship.

We scattered crumbs and grain on planks and fences for the birds — there are myriads about the place; probably their instinct tells them it is a closed season for cats, and in the ravaged condition of the forest they must stay close to man's habitat for largesse. I was rejoiced to spy my little humming bird flashing his dainty wings against the vermilion and green of the pomegranate bush. His seems a fragile life to stem such hardship.

Amy Holmes tells me she is feeding a rabbit on her woodpile, and Mandeville Kell throws corn every evening to a covey of quail, seeking sanctuary on a shed in his back yard. Mrs. Boney supports a squirrel family in her poplar tree, and some men of the town carry skiffloads of hay down the railroad embankment to hungry deer that have swum in. So we all have our pet charities these days.

We cannot attend church to-day, however dutifully inclined, for all places of worship, irrespective of creed, are thoroughly immersed. Our ministers, as well as our doctors, stand by us,

though, and lend a hand to whatever work comes up. We listen to Brother Kimberlin, the Baptist preacher who lives next door, singing lustily 'How Firm a Foundation' about six o'clock every morning, as he tumbles from the platform where his bed is raised into his boat, and hurries up to the Red Cross car, cheerfully to put in twelve hours of grilling work. We tremble for the safety of dear Dr. Gaines's two hundred and fifty pounds avoirdupois when we see him seated in questionable crafts, headed for refugee camps and far-away plantations.

Mrs. Coltharp and I had a long visit over the phone this morning, and I am quite envious of her superior state of well-being. She retained her cook, — I accused her of peonage, — and has her cosily ensconced in the parlor; her fine cow is on a raft in the orchard, and furnishes an abundant supply of fresh milk and butter; her chickens, from broilers to bakers, are on platforms in the yard; so she is really prepared for a state of siege.

I, however, am laying claim to a superior supply of intellectual pabulum, for the splendid box of books sent by David Amacker from Amherst arrived just a few days before the flood and has indeed proven a blessing. It is n't often one is granted such an opportunity for thought and reading.

We dined with the Craigs to-day and an excellent dinner it was, despite the effort it is to secure material with which to work. Bertha does not lower her standard of housekeeping for a mere matter of overflows!

This afternoon we went for a long ride over miles and miles of water. Water still and placid as a lake; water rippling and purling; water writhing and rushing in a torrent; water over the graveled highway where one short week ago we had raced in our motor cars; water high over the railroad track

where busy engines had, like shuttles, woven the woof of commerce. We came home in the red glow of sunset, and it was very beautiful — if only one could forget the desolation of row upon row of houses, submerged to their roofs, washed from their blocks, and the pathos of starving cats on many of those roofs, watching and waiting with glazing eyes; if one could shut out the horror of swollen bodies of horses and cattle, floating heavily; if one did not mind the disorder of overturned buildings and shattered fences, of floating bits of furniture, of a *mêlée* of tin cans, pots, bottles, jugs, and nameless junk; if one could look without tears at the occasional little pot of flowers, set high on a shelf and blooming bravely in the desolation and disorder.

I could not forget these things or keep them from before my eyes, and my heart was saddened that our country should suffer this cruel blow. Our country, so beautiful, so rich in natural resources, so fertile of soil; so worthy of being the banner agricultural spot of these United States; but held down by the terrible menace of recurrent floods. I asked myself rebelliously if we must always be a poor, shabby, struggling people, battling against a force too great for us; and when night came and a wonderful moon rose over the trees and duplicated its silver globe in the mirror of water that lay before us, reflecting trees and houses and flowers and rippling away in dusky shadows, I felt that I had my answer: in the sheer beauty of it there was hope.

As the kindness and generosity of the people of our land are seeing us through this great trial now, so will their intelligence, energy, and ingenuity find a way to deliver us from a repetition of it. Then once again our crops will grow, our cattle browse in peaceful pastures, our gardens bloom, and our homes be established in the joy of permanence.

May 9, 1927

We have much rejoicing this day! The telephone and telegraph lines have been repaired and the mail has come in! To know just what that meant to us one must have seen the crowd of men, women, and children, of varied types and colors, standing knee-deep in water in the post office and lined up in boats at the door — every face eager and expectant.

We were particularly blessed, with stacks of letters and bundles of papers, all a little damp and musty after their long journey by train, motor boat, airship, and what not, but oh, so welcome! It was delightful to know that though submerged we were not forgotten. There was a wonderful letter from Mrs. Butler, in Chicago, dear ones from our Smith friends, the Sydney Smiths of Englewood, New Jersey, and the Bolton Smiths of Memphis, Tennessee, and many other kind messages.

Olive Maupin phoned us from Vicksburg to come in the Red Cross boat to her high hills. Tizzie and Susan rang us up from Lake Providence, and my brother recklessly expended his patrimony in a long message from Shreveport. In short, we are by way of having our heads turned by so much attention.

Another cause for rejoicing is that the water rises very slowly now; the wise ones say it will be 'on a stand' by Wednesday; then, since everything that goes up must come down, it will surely begin — in its own good time — to fall.

In another three weeks our saffron-colored winding sheet will have gradually unrolled, leaving us a little ghostly, a little numb, but with yet enough vitality to struggle back to normal, to show to the world that our heads, though dampened, are still unbowed; that we are the masters of our fate — the captains of our souls!

IN THE ANDES

A Play in Two Acts

BY HERBERT PARRISH

PLACE: A remote village in the Andes

TIME: The present

PERSONS: —

PADRE BONIFACIO MENDOZA, a
Spanish priest

PEDRO, his sacristan

JUANITA, an Indian woman

FRANCISCO, her son

A horde of native Indians of the
Aztec tribe

ACT I

(The curtain rises on a scene in the sacristy of a Romanesque church. Through the open door, back, is the interior of the church — the gleam of the red sanctuary lamp, the rail of the sanctuary, a shrine with burning candles in the distance. The sacristy is lighted by large Romanesque windows. A chandelier of ecclesiastical design hangs in the centre. There are chests for the vestments. Eucharistic vessels, a huge monstrance, canopies for the Blessed Sacrament and for statues of saints, banners for processions, vestments, copes, and chasubles lie about or hang from half-open drawers — red, purple, green, white, and cloth of gold. Tall candles, half burned and untrimmed, stand on the vestment chests with thuribles and torches. There is a smell of incense and of stale wine from the cruets. A large table with an enormous inkstand and several books for records and for the Mass is in the centre. Everything is in the rococo style of

ecclesiastical art of the eighteenth century, rich in color and very florid, with much gilding, but shabby and worn.

PEDRO, the sacristan, is putting away the vestments. He is a half-breed. He has the face of an Inquisitor. An intense and fiery religious bigot. His lean form is clad in a shabby cassock. He wears sandals on his bare feet. His movements are quick. He crosses himself with profound reverence before he touches any sacred object. In passing the crucifix on the vesting table he bows with ceremony.

In a few moments PADRE BONIFACIO enters. He is an elderly man with a benign expression. He wears a biretta on his gray head, is dressed in a soutane, and carries a cane, walking with a slight limp.)

PEDRO. May the holy Virgin of Guadalupe protect your reverence!

PADRE BONIFACIO (*making the sign of the cross*). There is grave need.

PEDRO. They no longer come to the holy Sacrifice of the Mass.

PADRE B. A few of the older women only are faithful.

PEDRO. They have departed to the mountains and are working the mines.

PADRE B. The mines?

PEDRO. Yes. For gold.

PADRE B. But the mines are the property of the Church. We are negotiating to sell them to a foreign company.

PEDRO. Yes, your reverence, but Francisco says —

PADRE B. Francisco?

PEDRO. May the pains of Hell get hold upon him!

PADRE B. Francisco! That boy!

PEDRO. Francisco says, your reverence, that the mines belong to the tribe. He says they belonged to the tribe long years ago before the Church came to save them all from the flames of eternal torment. He says the holy Church and the Spanish soldiers robbed the tribe. He says —

PADRE B. Silence! What he says matters nothing. Our mistake was in sending that boy to the United States of North America for an education.

PEDRO. Education is the Devil's weapon for the destruction of the holy Church.

PADRE B. Nonsense, Pedro; it is also the instrument of God for the saving of souls. Myself was educated in Salamanca at the Seminary that I might do this sacred work in benighted lands.

PEDRO. True, Father, but that was holy education, the education of the Church itself. In the United States of North America it seems they have the Devil's kind.

PADRE B. Enough! Francisco may be lost through pride of knowledge, but he must not be allowed to draw others into the snare. We must devise means to bring the people back to their duty. We cannot go on with an empty church. What should I say to the Archbishop when he comes for his visitation?

PEDRO (*drawing a long knife out from under his cassock*). The quickest way would be —

PADRE B. Bah! Thou art a savage, Pedro. Put it by. 'They that take the sword shall perish with the sword.'

PEDRO (*putting back the knife, mumbling*). This is not a sword.

PADRE B. (*seating himself at the table and opening one of the large books*). I shall think of a way. (*The clangor of a house bell sounds in the distance.*) See who that may be.

(*PEDRO goes out through a door to the right which leads to the priest's residence. He returns presently alone.*)

PEDRO. It is Juanita, your reverence, Francisco's mother. She would talk with you.

PADRE B. Let her come in here. But stay you here the while. I see no woman alone in the sacristy.

PEDRO. Your reverence is wise.

(*PEDRO goes out and returns with JUANITA. She is an Indian woman dressed in the native costume, with a serape over her head; not old, and with a superior bearing. The padre has risen and is standing in the middle of the stage. She kneels and kisses his hand. As she rises the faint sound of an Indian tom-tom is heard in the distance. This sound very gradually draws nearer; later on, up to the end of the act can be heard in addition to it the sounds of other Indian instruments, with occasional singing and laughter as of a large group of Indians holding a festa in the plaza in front of the church.*)

PADRE B. For what purpose do you come, my daughter?

JUANITA. My son, Francisco!

PADRE B. Your son Francisco has raised a revolt against the Church.

PEDRO. He has taken all the men and carried off every girl in the village.

JUANITA. My boy, Francisco —

PADRE B. The headmen of the tribe have elected him chief.

PEDRO. He calls himself the Inca and denies the worship of the true God.

JUANITA. His education in the United States of North America —

PADRE B. He has become a blasphemmer, an atheist. He has brought it

about that even to-day, Ash Wednesday, not a soul attended the holy Sacrifice or received the ashes on his forehead.

PEDRO. He is the enemy of God. A Judas. He deserves to die.

JUANITA. He is young, Padre Bonifacio. You will deal gently with him?

PADRE B. When does the holy Church not deal gently with its enemies? Let him repent.

PEDRO. They have seized the mines and are working out the gold.

PADRE B. Let him confess his sins and do penance publicly.

JUANITA. You once were young yourself, Padre Bonifacio —

PADRE B. Silence, woman; that was long ago.

PEDRO. They treat him as though he were a god. They bring him all the gifts. He deserves to die.

JUANITA. Do you speak of death, you dog? He will answer for himself.

(The sounds of music and singing outside have given way to shouts and laughter. FRANCISCO comes running in through the door of the church. He is laughing. FRANCISCO is a youth. He is of a light copper color, with handsome features and straight black hair. He is dressed in a perfectly fitting suit of American cut, dark blue serge, and wears shoes, but over one shoulder is a scarlet serape and around his head is a band of beaded gold set with semiprecious stones. A single feather is stuck at an angle in the band. He is half savage, half civilized, and evidently a half-breed.)

At the sight of his mother FRANCISCO stops his laughter, looks searchingly at the priest and then at her. Deliberately; suspiciously.)

FRANCISCO. Pardon' me. Do I interrupt?

PADRE B. Why did you not remain in the United States of North America?

Or now, having visited your mother here, why do you not go back again to your studies?

FRANCISCO. There was no greatness for me there.

PADRE B. No greatness?

FRANCISCO. My race. My color. In the United States of North America to be dark-skinned is to be an outcast, scarcely human, without a chance with other men. They called me a colored man, a nigger, a damned nigger. Me, with the blood of the Incas in my veins!

PADRE B. But that is a great country — very rich, very powerful. Here there is nothing but the hills.

FRANCISCO. Better a king of a small tribe than a slave in a great state.

PEDRO. King! *(Increased noise outside.)*

PADRE B. But surely the advantages of a high civilization, the white bread, the culture —

FRANCISCO. Civilization? The narrow streets and buildings like the sides of cañons. Crowded with a selfish, grasping mob, milling like a stampeded herd of swine. The blaze of electric lights and shrieking signs. The rush of motor cars giving out an evil smell, poisoning the very air. Women painted like our braves in time of war — almost as naked. The packed multitudes of slaves working day and night in factories, without freedom, without gayety. The envy, dishonesty, crookedness, and strife. The haughty pride of the rich. The canting ignorance of the masses. The noise and roaring clangor of the hateful streets. — Here at least there is silence in the night of stars. And the clean, free air.

PEDRO. But at least you wear the white man's clothes.

FRANCISCO *(grinning)*. Ah, well, the habits of four years are not so easily broken. But it is nothing. *(He strips off his coat and throws it on the table. He has nothing on underneath.)*

PADRE B. For modesty, no more.

JUANITA. Put it on again. I like you better so. (*She helps him put on the coat.*)

FRANCISCO (*laughing*). In this high altitude it is comfortable. I became tender in the United States of North America.

PADRE B. But now that you have come back to us, Francisco, surely it is not right for you to influence the people here to leave their religion. You have drawn the whole tribe away from the Church. No one longer attends the holy mysteries.

FRANCISCO. Why should they not leave the Church? They had a most beautiful religion of their own centuries before the Church came here. They were then prosperous and happy. The Church has done nothing for them. Your Pizarro and his Conquistadores enslaved them. The Church burned all who did not submit to its authority. You have kept us in ignorance and debased us with fables for four hundred years. It is time we became free.

PADRE B. Surely you did not learn this in a civilized Christian land?

FRANCISCO. That is exactly what I did learn. The professors at the university laughed at the fables of Adam and Eve, the creation of the world in six days, the talking serpent, the folly of miracles of saints. Only the ignorant masses still cling to such childish ways. In free countries the welfare of mankind is the only feature of religion that remains for the intelligent. If my people are to rise, they must be freed from old superstitions that make a future Heaven the only thing to live for. They must learn to live now, here in this world, first. You are three centuries behind the time, Father Bonifacio.

PADRE B. Blasphemous heresies! Is there no God?

FRANCISCO. A Supreme Being. A

First Cause. The Inscrutable Absolute. Of course. And, if you like, some outward and visible symbols of divine beauty and divine power. The sun, for instance. My ancestors worshiped the sun. Or a man, a man with the light of God within. An Inca, let us say.

PEDRO. Sacred Virgin! A man!

PADRE B. The Church will flourish, boy, when you are dust. The gates of Hell shall not prevail against it. We shall find means to draw the people back to the holy faith. We can afford to be patient, forgiving. But you have seized the mines. The government will have something to say to that.

FRANCISCO. Government? Which government? When I landed a few weeks back there were three revolutions going on and three different governments among you Spaniards. They will have little time in all these revolutions to send forces up to this remote place. Besides, your people stole the mines from us. They are ours.

PADRE B. Nonsense, boy. It was the conquest of a higher civilization.

FRANCISCO. A higher civilization? Why, I read in the books at the university library something different. We had a civilization a thousand years before your Columbus sailed from Spain. Your grasping soldiers armed with better weapons stole our gold. Is civilization a matter of weapons? I do not believe it. Or, if it is true, then the tribe is better off in that respect than you.

PEDRO (*draws his knife and springs at FRANCISCO, shouting*). You are mad! Let him die like a dog!

(JUANITA intercepts him, seizing his wrist. FRANCISCO leaps lightly to the top of the table. He claps his hands and shouts. A crowd of Indians rush in.

They are a debased, evil-looking lot, of various shades of color and in the semi-civilized garb of savages in South America. They swarm around the table.)

FRANCISCO. All these things are yours, friends.

(The band brush PEDRO and the priest aside and begin to pillage the sacristy. They load themselves up with the holy objects. Some try on the vestments awkwardly. Others dispute and tear them. There is great laughter and confusion.)

[CURTAIN]

ACT II

(Six weeks later. Good Friday. The curtain rises on a scene of the plaza before the great doors of the church. A flight of steps leads to the doors, which are closed. The façade of the church, crumbling, patched, and broken, is in the usual Romanesque style. A campanile with bells. Palm trees edge the scene. Distant mountains show behind the church. One or two crude benches in the plaza. Dazzling sunshine over all. It is morning of a hot day in the tropics.)

Standing before the church doors are PADRE BONIFACIO and PEDRO. The priest is leaning on his cane. Both look dejected.)

PADRE B. Good Friday, and not a soul comes to church. My thirty years of teaching and labor lost!

PEDRO. Francisco is the only god they worship now.

PADRE B. It was easy for them to fall back into idolatry again. And yet after so many years —

PEDRO. They will miss the ceremonies. How they enjoyed the beating of the images, the crucifixion, the blood and wounds!

PADRE B. They bring us no offerings. It is we whom they crucify by their neglect.

PEDRO. He has become their god.

PADRE B. The ancient pagan Aztecs worshiped the sun. It is well known. And for that reason they go to the height every morning.

PEDRO. They worship him also. I have seen. And doubtless to-day they will claim the church.

PADRE B. Sacrilege! The abomination of desolation. It must not be.

PEDRO. The headmen desire it. I have talked with them. The church for a teocalli, they say. Formerly they had temples.

PADRE B. I have locked the doors *(holding up the huge key)*.

PEDRO. It will not matter. They will force your hand.

PADRE B. In the sacred Scripture it is written: 'Resist not evil.' If they come, we must give way.

PEDRO. The Holy Virgin may provide some other plan.

(Enter JUANITA.)

JUANITA. I have done what I could. He will not listen to reason. They insist upon using the church to-day.

PADRE B. In the United States of North America it seems that children no longer respect even their parents' wishes.

JUANITA. He has many arguments. I cannot prevail with him.

PADRE B. God will prevail, my daughter. The gates of Hell shall not prevail against us.

JUANITA. They are coming in great state and pomp. He is their high priest, their god. Do not anger them, my father; they have power.

(Far off the sound of a horn is heard, a crude instrument made of a mountain goat's horn. It gives but one note. Then follows the sound of the tom-toms and singing growing nearer and nearer. Other crude instruments, Indian flutes among them.)

PEDRO. They are coming. I can see them winding up the hill.

JUANITA. They must not find me here. But, remember, Father, do not deal harshly with the boy.

PADRE B. The true religion is never harsh, Juanita.

(Exit JUANITA.)

PEDRO. Let us meet them with courage at the church door.

(They take their stand on the steps. The procession appears, winding in from the side of the church. It is a religious procession, half Catholic, half pagan. FRANCISCO has made an attempt to train the tribe in the traditions of the ancient Aztec rites as described by Prescott or Markham.)

The Indians have abandoned all traces of the modern Spanish dress and wear vividly colored robes, headdresses of feathers, many gold ornaments. The old men as priests. There are torch bearers and boys swaying thuribles. Flower girls strew flowers. FRANCISCO himself is dressed almost completely in gold plate, though much of his body is bare, and he wears an enormous crown of feathers held in a gold band. He walks under a canopy — one of the spoils of the looted sacristy. This is of white silk fringed with gold, formerly used to cover the Blessed Sacrament in processions. It is carried by four men. A band of half-clad girls cluster about him. The instruments play a wild, monotonous accompaniment to the singing. They sing as they enter.)

THE INDIANS.

Oh, come, then,
Great as the heavens,
Lord of all the earth.
Ten times I adore thee,
Ever with my eyes
Turned to the ground,
Hidden by the eyelashes,
Thee am I seeking.
Oh, look on me!

Like as for the rivers,
Like as for the fountains,
When gasping with thirst,
I seek for thee.
Encourage me,
Help me!
With all my voice
I call on thee;
Thinking of thee
We will rejoice
And be glad.
This will we say
And no more.¹

(The procession has filled the plaza as the song ceases. FRANCISCO gives the sign to break ranks. The canopy is folded up and taken back. The crowd breaks into groups; some sit on the church steps, some on the benches; and some squat or lie on the ground. FRANCISCO stands well in front, the others at a respectful distance. He turns toward the padre and the sacristan and summons them forward. They come to him.)

FRANCISCO. Well, how do you like our music, Father? As well as the *Ave Maris Stella*? I like it better.

PADRE B. Are you not ashamed — you, a mere man — to receive divine honors from these poor benighted people?

FRANCISCO. Why should I be ashamed? Am I not better than one of the carved and painted wooden images you have taught them to bow down to?

PEDRO. Idolatry!

FRANCISCO. Nonsense, Pedro, my elder brother. There must be some little idolatry in every true religion. How else shall men visualize the unseen God? And a living man is better than a lifeless image.

PADRE B. You to pose as God with all these young girls clinging about your steps!

¹ From the hymn to Uira-Cocha attributed by Salchamayhua to the Inca Rocca. Quoted from Markham.

FRANCISCO. Why is it that old people are always so suspicious of the young? Why, these are the Vestal Virgins (*laughing*).

PEDRO. Monstrous!

FRANCISCO. But we have come, Father, to hold our little annual sacrifice. We must use the church. The ancient ritual prescribes a temple. See, here are the sacrifices. (*He points to the baskets of flowers and fruits.*)

PADRE B. In this temple we worship only the true God who died for us this day upon the Cross. I commit the key to Pedro. You may force him to let you in, but I refuse consent as I refuse to bow down to you. (*Exit.*)

(PEDRO snatches up the key, which PADRE B. has thrown on the ground, and rushes to the steps of the church. He is intensely excited, but begins to speak at first with some control.)

PEDRO. Listen, all of you. Here is Francisco come back from the United States of North America where he has been educated. He has taught you many things. Now he has come demanding the church for the sacrifice. Very well. We shall give him the church. But mind you, to-day is Good Friday. You have always worshiped in this church on this day a God who died for you upon the Cross. (*He makes the sign of the cross and the natives involuntarily imitate him.*) That God you worshiped was a great God. He came down from Heaven. He was born of the Virgin Mary. He died on the Cross. They scourged him with whips, and with whips with leaded tips. The whips cut his flesh. The blood ran down in streams. They crowned him with the crown of thorns. The thorns pricked his head. The blood ran down his face.

(*The Indians are becoming more and more excited, more and more sympathetic*

with PEDRO's words, when FRANCISCO springs to the steps.)

FRANCISCO. All very true, my friends. But that was long ago. Moreover it was a brutal murder. He did not wish to die. Shame to those who put him to death!

PEDRO. Francisco wants the church. We will give him the church. But is he such a god? Can he also die and rise again from the dead? The blows did not hurt our God! He was a true God. He did not feel the pain. For the joy that was set before him he endured the Cross, despising the shame. He loved to die and rise again. Can Francisco die and rise again? If so, of course he should have the church. We will all worship him. He will be the risen God. Dead first and then risen.

FRANCISCO. But I am not a god who teaches death. I teach life. The glory of the sun, the splendor of the sky, the daring of the hunt, the value of the mines. You have learned these from me. It is better to live than to die. Every man must die, but all do not rise so soon. Our religion is for life, not death. (*He falters and is at a disadvantage with PEDRO's sharp theology.*)

PEDRO (*exultantly*). Our God died first and then was worshiped. It is Good Friday. The blood ran down his back. The blood was over his face. Bright red blood! They struck him with their fists. They spat in his face. He did not care at all. It did not hurt him. He was God. He could die and rise again. They nailed him to the Cross. The nails pierced his hands and feet. The blood ran down to the ground. They pierced his side with a spear. Water and blood ran out. He felt no pain for the joy that was set before him. He could rise from the dead.

(*The crowd has become increasingly excited and persuaded. They first murmur, then speak out louder and louder.*)

THE CROWD.

Crucified!

The blood!

Let us crucify Francisco and see
him rise!

He will rise from the dead!

Let us beat him with cactus!

Let us nail him to the cross!

Let us crown him with thorns!

It is good medicine!

He is a god! He will rise from the
dead!

Crucify him!

Let him be crucified!

(The crowd presses in more and more threateningly upon FRANCISCO. Some attempt to seize him. He shakes them off.)

FRANCISCO. One moment, friends. If you say that I must die, then I will die. But I will die like a brave. I will die like a king. I will die like a god. I do not fear to die. I — shall — rise — again. Pedro, you have won. Your religion of death and darkness is stronger than mine. I die. Take this gold. You may need it. I forgive you, my brother. You know not what you do.

(The crowd surge up, brandishing their spears and clubs. PEDRO opens the great doors of the church. They swarm in with shouts. The doors are shut. From

within the church come sounds of hammering, loud cries — 'Let him be crucified!' 'He will rise again!' Darkness, the darkness of a tropical storm, gradually comes on. Low rumbles of thunder sound in the distance. Then complete silence in the church.

Enter PADRE B. and JUANITA.)

PADRE B. They have gone into the church.

JUANITA. They are offering the sacrifice. — He will, of course, get over this foolishness about a new religion — after a while.

PADRE B. You think so?

JUANITA. Why, yes. Youth does such foolish things. Do you remember how he smiled as a babe?

(It grows very dark.)

PADRE B. How long they are with these new-old rites! They will be caught in the storm.

(There is a great zigzag of lightning. The doors of the church are flung wide open. PEDRO appears. Behind him the church is lighted with many candles. The crowd is kneeling in prayer. The naked body of FRANCISCO is seen hanging dead on the great cross.)

PEDRO. 'It is finished!'

PADRE B. My God! My son!

[CURTAIN]

PRESIDENT AND PRESS

BY WILLIS SHARP

I

It has been repeatedly charged of late that the press of the country has become commercialized out of all independence of thought and spirit. It is alleged that the tingle for circulation and the itch for an ever greater prosperity have pretty well paralyzed its critical faculties. It is asserted that the newspapers are to-day largely standardized, money-making machines, whose rich owners are so intent on the increase in advertising lineage and so tickled over the Mellon tax reduction on the higher bracket incomes that the only real political emotion they have left is the fear that the situation may be disturbed. Hence their general disposition to soften all criticism of the Administration and to treat as dangerous and degraded fellows those who grow excited over corruption in politics such as has been revealed in Pennsylvania and Illinois, who were outraged by the thieveries of the former Administration, or who are critical of the feebleness and complacent incompetency at times apparent in this Administration.

Perhaps this is too sweeping an indictment. Unquestionably there are a few great papers in which still throb sound journalistic souls and which, in spite of huge profits, retain their virility and fighting hearts. But in the main the charge is true and every posted person knows it. Logically it would seem that political supineness could most be expected from newspapers

that operate at a loss, and that complete financial security would be accompanied by real political independence and fearlessness. It would seem reasonable to think that the finest reward of financial success in the newspaper business would be the luxury of being able to afford fearless and frank political criticism. It does not, however, work out that way. On the contrary, with few exceptions, it is the papers that make money literally by the cartload that seem the most sluggish and the smuggest, the least concerned about newspaper standards, the most indifferent to the dignity of their profession, the most narrow in their conception of the function of the press, the most deeply steeped in partisanship.

Take as an example the *Chicago Tribune's* treatment of Governor Smith's reply to the Open Letter of Charles C. Marshall which appeared in the April issue of the *Atlantic*. Here was obviously the most vital and pregnant piece of political news that had occurred in many months. Interest in it was intense. It was without parallel in our political history and, from whatever angle viewed, must have been recognized as big news. Yet the *Tribune*, which modestly refers to itself as the World's Greatest Newspaper, cut the Smith statement from four thousand to four hundred words and printed it on an inside page with no editorial comment.

That is a hard thing to get around,

but in these days there are plenty of instances of this sort, which seem to argue not only a lack of fundamental fairness but an absence of any feeling of obligation to print the news. However, it is the meek acquiescence of the press as a whole in the rebukes delivered and the restrictions imposed upon it by the present occupant of the White House that to my mind, better than anything else, evidences its lack of spirit and the absence of self-respect. Perhaps those are harsh words, but there seems some justification for them.

II

Take for instance the state to which the biweekly White House conferences between the correspondents and the President have been reduced. The theory of these conferences is that they are occasions on which the press, representing all shades of opinion, may ask questions of the President and receive, if not answers, at least the courtesy of a reply that the President has nothing publicly to say on that subject. That theory is now in the discard. The Coolidge rules have made it absurd. The correspondents may not say that they saw the President. They may not quote the President. They may not say that an official spokesman said what the President said. The information or views he gives out are supposed to be presented to the public without any indication of official responsibility. The correspondents are supposed to present these views as if they had dropped from heaven, and are wholly unprotected when, as has happened, Mr. Coolidge finds it expedient to repudiate them. As a climax the correspondents are forbidden to mention that a question asked at the conference was ignored. In effect these conferences are now reduced to occasions when Mr. Coolidge secretly tells

an obedient press what he would like to have printed about himself — and that is all that is printed. The newspapers, through their acquiescence, have become little more than the personal publicity machine of Mr. Coolidge.

An argument can be made that, after all, these conferences are Mr. Coolidge's show and he is entitled to make the rules. If the newspapers resent being imposed upon they have their remedy in refusal to attend the conferences, but that would be equivalent to a rebuke to the President of the United States, from which they not unnaturally shrink. There is and has been much murmuring among the correspondents, but it is plain, first, that there is little nourishment for them in an individual or personal dispute with the President of the United States. All the weight is on his side. Second, the mere routine White House appointment news is of such value and interest that, unless all refrained from attendance, none can afford to. In the matter of these conferences Mr. Coolidge unquestionably has the whip hand, and most unquestionably he has used it in a way he would not have been able to do if the newspapers were more sensitive as to their status and more spirited in its defense. What Mr. Coolidge has done is to take advantage of the solidity with which he is supported by the press to deprive it of reasonable freedom in reporting him and reduce its representatives to the status of involuntary and — in some cases — very reluctant press agents. Most of them take it without a whimper.

But he has gone further and put his small foot down on a press prerogative infinitely more vital to the press and to the people than the right to deal with him on approximately equal terms in the press conferences. Four times now has he expressed the view in effect that the newspapers have no right to

criticize the Administration in matters of foreign policy, and evidenced his resentment over such criticism. Three of these occasions were at the aforementioned conferences with the Washington correspondents; one was in a public speech at New York, delivered at a dinner given by the United Press.

If there is a parallel to this I have not been able to find it. If any other President or any other public man in America has assumed a similar attitude no one has pointed it out. All Presidents have of course resented criticism of their foreign policies, but all Presidents have had such criticism — almost all of them much more than Mr. Coolidge has had. None, so far as can be recalled, looked upon peacetime press support of Administration policies in all foreign affairs as a patriotic duty. The first and until now the last time that note was struck in this country was one hundred and thirty years ago in the Alien and Sedition Acts of the Adams Administration, and these as much as anything else contributed to the defeat and ultimate destruction of the Federalist Party. With the country at peace, the Coolidge suggestion of the 'duty' of the press to support Administration foreign policies is perfectly preposterous. The only thing more amazing than that this proposition should be seriously and repeatedly advanced by a President whose caution is so generally marked is the meekness with which the American newspapers, the freedom of which is a constitutional foundation stone, have accepted it. Some with Democratic tendencies did express indignation when the suggestion was first made. Several pointed out the silliness of the idea. One in polite but pointed language told Mr. Coolidge he was ridiculous. But for the most part they gulped and swallowed it. The true-

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blue, thick-and-thin Administration organs, which are the majority, actually upheld him and wrote scathing editorials rebuking the few journalistic recalcitrants who had assailed the State Department's Nicaraguan policy.

The first time Mr. Coolidge dwelt on the duty of the press as he sees it, and rebuked it for criticism of the Administration, was on September 18, 1925, in connection with the foreign debts. On that day at one of the White House conferences he expressed the view that 'the press of the country should resolve all doubts concerning the French ability to fund its \$4,000,000,000 war debt to this country in favor of the United States.' We find Washington dispatches further reporting as follows: 'In connection with the French debt, the President thinks the press of the country ought to assume the duty of looking after the interests of its own country rather than the interests of a foreign country.' A day later — on September 19 — the United Press sent out the following: 'The White House will watch the newspapers closely the next few days to judge the reaction to President Coolidge's suggestion that the American press look after the interests of the United States rather than those of France in dealing with the settlement of the French debt.' If words mean anything, these passages mean that Mr. Coolidge regarded it as a patriotic obligation of the press to support his debt-refunding policy; that, whether or not they agreed with him, they had no business openly to criticize his Administration when dealing with foreign affairs; that such criticism is a handicap to the Administration when dealing with foreign countries; that such criticism is personally resented by him. Having made plain his feeling, he proposed to check up to see which newspapers continued to offend and which mended their ways.

That in effect is what he said on that occasion.

The second time Mr. Coolidge lectured the press on this subject was on December 31, 1926. On that occasion, more curtly and emphatically than before, he expressed his displeasure over the criticisms of Mr. Kellogg and the State Department that had appeared in reference to Nicaragua and Mexico. The dispatches say that 'Mr. Coolidge, through the White House Spokesman, let it be known that he keenly resented the unfavorable newspaper reaction to the State Department's conduct of the Nicaragua matter and that he thought it the duty of the American press not to question the wisdom of the measures that have been taken by this Government.'

One friendly and inspired correspondent wrote: 'President Coolidge, it was said at the White House, feels that the American press can be of great helpfulness to the Administration in the conduct of its foreign affairs. The press, he believes, should present the American attitude and endeavor to convince its readers that the Administration is conducting its foreign affairs in such a way that this Government will live in accordance with international law, observe international customs, and maintain the highest standards of international relationship.'

Another writer of high standing, reporting this second lecture, said: 'Not only the people of this country, but foreign peoples and foreign governments, are quite often misled by what is printed in American papers, in the opinion of the President. From articles in American newspapers criticizing the conduct of America's international relations, other peoples get the idea that the people of the United States are not united, while, in the mind of Mr. Coolidge, there is no division here. Mr. Coolidge doubts that

anyone would oppose the protection of American citizens and American interests, yet, he thinks, this impression is being conveyed by criticisms of the methods that are being employed to effect such protection. Not only is the conduct of diplomatic relations being hampered by a questioning press, as the President sees it, but diplomatic relations are suffering also as the result of talkative Americans abroad.'

Early in April, again at a White House conference of the correspondents, Mr. Coolidge returned to this idea of his about the duty of the press to support the Administration, this time deplored the tendency of the newspapers to 'speculate' on the attitude of this Government or the attitude of other Governments with which we come into contact, and contending that it would be much better if they said nothing at all concerning such things as the situation in China, for example, until official statements are made by the State Department.

And then finally, on April 25, 1927, in an address at the twentieth anniversary dinner of the United Press Association in New York, Mr. Coolidge made the feature of his speech a rebuke to the newspaper critics of his foreign policy. He deplored the disposition of newspapers and periodicals to criticize a foreign policy of their Government, once it has been fixed, or to criticize the people of friendly nations, thereby 'producing the reaction of a rankling bitterness abroad.' He asserted it as his belief that the press should not engage in what he described as 'malicious and misleading partisan attacks on the conduct of our Government' in the Government's efforts to defend American rights, peacefully to adjust differences with other nations, and to maintain the national dignity. Such criticism, he added, is quoted in the press of an 'offending

nation'; it furnishes 'ammunition for our adversaries'; it 'attacks our forces in the rear' and becomes the chief reliance of opposing negotiators in maintaining their position 'when all other arguments have been answered.' This castigation of the critical press preceded the President's outline of his policy and purposes in dealing with the Mexican, Nicaraguan, and Chinese problems.

III

That is the record on this subject, and it is submitted that there is no parallel to it. It seems absurd, of course, to liken Mr. Coolidge to Mussolini. Two more utterly different types hardly exist. Yet their views on the value of liberty of the press and liberty of speech are apparently not far apart, and it would be possible easily to make a very striking parallel between the abject subservience of the Italian press to the Duce and the subservience which Mr. Coolidge desires of the American press to our Government's conduct of foreign affairs — a subservience that, if yielded, logically would lead to like subservience in domestic affairs.

The newspapers of the land should stand behind him and his Secretary of State, says the President. Otherwise false impressions of our official motives are given to observers and statesmen in other lands, and sometimes encouragement is given to interests abroad to resist the policies of our Government. It is quite possible that domestic criticism of our Government's policies may now and again create false impressions of our official motives, and may also now and again encourage resistance to our policies, precisely as domestic criticism of Britain's or France's or Germany's foreign policy may have regrettable consequences here. But it is incredible that it should

be necessary to argue with the President of the United States the elementary proposition that this is a trivial danger in comparison with the danger of suppression of free speech and open criticism, and that in any event it is a risk that is demanded in the name of freedom and justice.

It is quite certain that it would not be necessary to argue that proposition, settled as it is both by reason and by experience, with the head of the government in any other land making pretension to genuine democracy. The government is the people's. Moreover, the people are called upon from time to time to support foreign policy with their property and their blood. To say that a self-governing people may not freely criticize, in print or in speech, the formulation of policies involving such possible sacrifices is preposterous. Official and unofficial apologists and spokesmen for the President in explaining his lectures to the press on this subject assert that what Mr. Coolidge really wants is not censorship, but merely fairness; that he does not expect to escape criticism, but naturally desires to avoid being misrepresented by the newspapers and particularly desires to avoid misrepresentation in connection with his foreign policy, because there press misrepresentation can be most mischievous and far-reaching.

This is what Mr. Coolidge's journalistic explainers say that he meant, but it is not in the least what Mr. Coolidge said. Nor is it what Mr. Coolidge meant, and well they know it. Any President is clearly within his rights in resenting misrepresentation, but Mr. Coolidge has not been misrepresented by the press and has at no time made any claim that he has. In the clearest, curtest, and most pointed language, and with a degree of acerbity that left no doubt of his feeling, he has repeatedly expressed his belief that it is a

duty of the press to support the Administration's foreign policy. He does not accuse the press of unfairness or misrepresentation, but of lack of support, which is a totally different thing. A sound argument might perhaps be made for the idea that such support is a patriotic duty of the press in time of war. In time of peace such an argument will not hold water for a moment. It leaks like a sieve, and so far as known this is the only White House occupant to advance seriously such a view. Every President has, of course, resented criticism of his foreign policy, and of his domestic policies as well, but it has not apparently occurred to any of Mr. Coolidge's predecessors that it was a matter of moral duty for the newspapers to accept the President's policy as right; or, if they could not do that, that then the patriotic thing for them to do was to refrain from pointing out its flaws. The more you think of it the more absurd it is, and the more you wonder why the newspapers have with so much meekness and so few protests permitted him to lay down this proposition with so much regularity, consistency, and solemnity that unquestionably there has been created a quite general popular idea that the President was reluctantly compelled to administer a well-merited rebuke to the newspapers which have been hampering him in dealing with Mexico and Nicaragua. Why should n't the people get that impression? He says so, and the newspapers, publicly spanked, repeat his words and with a few exceptions concede their soundness either by editorial eulogies or by silent acquiescence.

It is a curious, a unique, situation. American history shows no period in which the press of the country seemed more spiritless, less inclined to defend its so-called 'rights,' more willing to accept an unmerited, uncalled-for

reprimand that puts it in a false and not pleasant position, more ready patronizingly to ridicule those who allow themselves to get stirred up over such treatment.

But imagine if you can the indignant and piercing howls that would have gone up from the newspapers had the late Woodrow Wilson enunciated any such view as this as to the duty of the press to support him. Recall if you can the attitude of the bulk of the press toward the Wilson policies during the Paris Peace Conference and during the League of Nations fight in the Senate later. Recall particularly the bitter ferocity of the attacks made on Mr. Wilson by the papers of Mr. Coolidge's party. Consider the black fury of these papers had Mr. Wilson asserted again and again, privately and publicly, that it was all right for them to differ with him on domestic issues, but in the matter of the League of Nations his was the responsibility and theirs the duty of unquestioning support. How they would have hooted him! Contrast what Mr. Wilson went through, in the shape of press criticism of his foreign policy, with the trivial nature of the Coolidge criticism. I venture to say that in neither the domestic nor the foreign field has any President in this generation had as little as Mr. Coolidge — few have had less since the beginning. He has now, and has had since the day he first entered the White House as President, a most amazing newspaper support. No President in my time has had anything approaching it in solidarity and unshakable nature. Fully four fifths of the press bow to him as the totem pole of prosperity.

In the last decade the mortality among Democratic papers, always in the minority outside of the South, has been vastly larger than among Republican. In every merger or consolidation it is the Republican paper in strong

financial hands that invariably survives, the Democratic paper that always disappears. This accounts for a certain part of the unprecedented press support of the Administration. The Mellon tax bill accounts for more. Just how to account for the Hearst support I do not know. I have, of course, heard the current explanations and they may be true. In any event, the fact is that Mr. Coolidge is the first President in more than a quarter of a century in whose back the thirty-five-odd Hearst papers have not had their talons deeply sunk. Add to the string of Hearst papers the straight-out Republican organs and the lukewarm, supposedly Democratic ones that have been anæsthetized by prosperity and tax reduction, and there are not so many left. As a matter of fact Coolidge-Kellogg criticism on Nicaragua and Mexico has been largely carried on by the two New York weeklies, the *New Republic* and the *Nation*. Not more than half a dozen daily newspapers have been even mildly critical. The chief of these is the *New York World*, and it is believed it was largely of the *World* that Mr. Coolidge complained. Certainly no other New York, and no Boston, Philadelphia, Chicago, Cleveland, Kansas City, Detroit, Denver, Salt Lake City, Los Angeles, or San Francisco paper has differed with Mr. Coolidge to any considerable degree on either domestic or foreign policy. Except from the *World* in New York, the *Sun* in Baltimore, the *Post-Dispatch* in St. Louis, the criticism which Mr. Coolidge maintains has handicapped his Administration in his dealings with foreign countries seems to be almost nonexistent. More than four fifths of the press did their duty as he sees it. The truth seems to be that Mr. Coolidge has reached a point where nothing short of five fifths really satisfies him.

It often happens that way. Here is a sensible and normal man who until a few years ago was accustomed to taking political orders and being treated more or less indifferently, at times even contemptuously, by the party leaders in his State. Accident made him Vice President, and the hand of God put him in the White House. For four years he has been steadily fed by his journalistic supporters on a heavy diet of laudation, encomium, eulogies, panegyrics, and praise. It would be remarkable indeed if this did not change the man, if it did not permeate and take possession of him. I wish to be fair. Adulation does not swell his head. Mr. Coolidge's head is hard. Until Mr. Harding died he had had practically no press praise at all. He did not seek it. Now, after four years of it, he is convinced that he is entitled to praise, and that when the press fails to accord praise it fails in its duty. It is, if one looks back over his previous career, contrasts it with the past four years, and understands his personal characteristics and type, easy not only to see how he reached his present frame of mind toward the press but to appreciate that it was almost inevitable. It is, if he can continue to get away with these solemn lectures without real protest, all right for Mr. Coolidge; but what of the press?

What of the press? It is a curious situation. By excessive praise the press builds Mr. Coolidge up to a point where support appears to him not a favor but a duty. He then publicly reprimands it as a whole for the dereliction of a few, indicates his belief that it should play a subservient and not an independent part in politics, and the newspapers for the most part humbly transmit his rebuke to the people, thus misrepresenting not the President but themselves. The thing would be ludicrous if it had not its serious side.

WHAT IS CONFISCATION?

BY CHARLES WARREN

I

'A VERY great part of the mischiefs that vex the world arises from words,' wrote Edmund Burke. 'People soon forget the meaning, but the impression and the passion remains.' And, to the same effect, Horne Tooke wrote that 'words without meaning or of equivocal meaning are the everlasting engines of fraud and injustice.' Misunderstanding as to the use of words is a frequent factor in the production of international controversy; and it may well happen in a particular case that resort to war could be avoided if there could be not only an agreement as to what are the facts involved, but also an agreement as to what the disagreement is about.

When the President of the United States and the Secretary of State inform Mexico that the provisions of the Mexican Petroleum Law of December 31, 1925, together with the regulations framed under it, constitute 'confiscation' of American property, the statement sounds simple; and American citizens rightly entertain the belief that the claim of their Government is a just one. Is the question of confiscation, however, quite as simple as it sounds? How many of us can define just what constitutes confiscation? The average man might answer that his property is confiscated if a Government deprives him of it without paying him for it. But in law what constitutes deprivation? Can anyone answer that without the aid of a court of law? And what

answer would the average man think that the Supreme Court of the United States gave as to confiscation in the following five cases which actually came before it?

1. A company erects, at a cost of \$375,000, a factory for the manufacture of carbon black and the extraction of high-gravity gasoline by the use of natural gas. The State Legislature later prohibits the use of natural gas for the production of anything but heat, thus ruining and destroying the corporation's business.

2. A man owns a wharf, lawfully constructed on his own land, within a harbor line duly established by the Secretary of War. Congress later decides to widen the river and authorizes the Secretary to establish a new harbor line, requiring the destruction of the wharf.

3. A man owns a tract of land in a city, worth \$800,000 for brickmaking purposes (because of its valuable clay contents), but worth not over \$60,000 for any other purpose; he has made excavations and installed expensive machinery, so that it cannot be used for residential or other purposes. A city ordinance later forbids the operation of a brickyard within the territory.

4. A man lawfully purchases and owns liquor valued at four hundred dollars. The State Legislature later makes possession of liquor illegal, and the sheriff seizes this four hundred dollars' worth.

5. A company owns valuable land and oyster beds under a salt-water bay. The United States later, in dredging a channel, utterly destroys these oyster beds.

In no one of these cases did the Government provide for payment of any compensation to the owner of the property destroyed or injured, and for that reason the owner claimed the Government's action to be unlawful. In which of these cases has there been, in the eye of the law, confiscation of property?

All these questions may suggest the thought that we, as citizens of the United States, may possibly have been considering as incontestably clear a subject on which others may reasonably have divergent views.

II

At the present time it seems plain that a loose use of this one word 'confiscation' has caused much misunderstanding as to at least one of the issues in the controversy which has so long prevailed between this country and Mexico. While it appears probable that this controversy will happily be settled by diplomatic negotiations, nevertheless questions of a similar nature may possibly arise in the future; and hence it is highly desirable that there should be an understanding of the real nature of the present controversy. In an address at a dinner of the United Press Association on April 25, 1927, President Coolidge implied that the pending questions were not appropriate for arbitration, because, as he said, 'the principle that property is not to be confiscated and the duty of our Government to protect it are so well established that it is doubtful if they should be permitted to be questioned.' It is just at this point that our confusion may arise. The proposition,

as thus simply stated by the President, may be true. On the other hand, since the President of Mexico has insisted that his country has not confiscated the oil lands and does not intend to do so, would it not seem that the real issue between the two countries is as to the existence, in law, of any confiscation, and not as to the existence of a right to confiscate? It is on this issue that American citizens have received little information and need much enlightenment.

Let us try to penetrate, therefore, the fog with which this controversy has been surrounded, and with which any similar controversy in the future might be surrounded, through the equivocal use of the word 'confiscation.'

In the first place, it should be noted that this term has no fixed and unalterable meaning, no absolute meaning which is unaffected by times or circumstances and unrelated to social and economic conditions. In fact, the very opposite is true as to its definition.

In common parlance, 'confiscation' conveys to the average individual the idea of *unlawful or unpaid-for* taking of property by the Government. Yet such was not the original meaning of the word, nor is it the primary meaning given in the standard dictionaries, which define the word 'confiscate' as: 'To appropriate private property to the sovereign or the public treasury by way of penalty.' Moreover, even in the terminology of the law the word 'confiscation' or 'expropriation' does not always or in every country denote an unlawful or unpaid-for appropriation of private property by a Government. President Coolidge, in his address to the United Press above referred to, stated that 'it is a cardinal principle of law that private property should not be taken without fair compensation. This principle is declared in our national Constitution and

in those of all our States. I know of no written constitution that does not contain a similar provision.' Nevertheless, in spite of this statement, there are actually a number of modern written constitutions which do permit government expropriation of property for the public use or benefit, without compensation, provided such expropriation is made by a legislative act. Thus, the Constitution of Germany of 1919 provides that 'expropriation shall take place only for the general good and only on the basis of law. It shall be accompanied by payment of just compensation *unless otherwise provided by national law.*' The Constitution of Czechoslovakia of 1920 provides that 'expropriation is possible only on the basis of law. Compensation shall be given in all cases *unless it is or shall be provided by law that no compensation shall be given.*' Similar provisions are to be found in the Constitutions of Poland (1921) and of Esthonia (1920). In these four republics, therefore, while taking of property without compensation simply by executive or administrative action is forbidden, there may be such a taking by legislative action. And in all European countries it is assumed that taking of property by a capital tax levy would be lawful. It may, therefore, be an arguable question whether a nation necessarily, and under all circumstances, violates international law if it expropriates property without compensation, provided that it acts in accordance with its own constitution, and provided that it makes no discrimination between its own nationals and aliens.

But even if it be assumed that confiscation of property without compensation is always and everywhere a violation of international law, there will always remain open two questions: What governmental actions under the law constitute 'confiscation'? And do

the particular actions in the case fall within the definition of 'confiscation' at law?

In the United States there are two provisions of our Constitution which are supposed to protect an individual's property from confiscation — one, the Fifth Amendment, which forbids the Federal Government to deprive a person of his property without due process of law, or to take private property for public use without just compensation; the other, the Fourteenth Amendment, which forbids a State Government to deprive a person of his property without due process of law. These provisions are plain and clear in their phraseology; but in their application to any particular set of facts they are difficult and uncertain. For what is due process of law? What is a taking of property? The answer to those questions can never be known, in any individual case, until after a court decides. And in the words of the Biblical proverb, as paraphrased by an eminent jurist in a recent address, 'There be three things which are too wonderful for me, yea, four which I know not: The way of an eagle in the air; the way of a serpent upon a rock; the way of a ship in the midst of the sea; and the way of the Supreme Court with the Due Process Clause.'

The layman probably believes that destruction of his property by the State could never be 'due process.' He seldom realizes that even in this country a state legislature has a certain degree of power to damage or destroy property, take away its use, ruin its value, and to abolish or restrict a business and to occasion serious loss and injury, without being required to pay compensation to the owner — all provided that the act is reasonably in the interest of the general welfare and there is sufficient force of public opinion behind it. This power of the legislature

is called 'the police power' — a rather meaningless phrase, which, as Judge Oliver Wendell Holmes has said, 'is convenient to conciliate the mind to something that needs explanation.' It denotes simply the right of the State to cause discomfort, injury, loss, or ruin to a part of the community in the interest of a greater part — up to the point when the court says that the State has gone too far. To what extent this power exists or may be exercised the court must decide in each case; and, as Judge Holmes has constantly said, 'Here, as elsewhere, the distinctions of the law are distinctions of degree. . . . Often it is a delicate matter to decide which interest predominates and how far the State may go without making compensation. The line cannot be drawn by generalities, but successive points in it must be fixed by weighing the particular facts.'

III

The ordinary individual knows little or nothing about this vague 'police power'; hence inevitably an individual's idea of confiscation in fact and a court's decision as to confiscation in law are widely divergent. Man after man, corporation after corporation, whose property or property rights have been in fact destroyed or taken by virtue of a statute, have gone to the Supreme Court of the United States and there learned for the first time that their property has not been, in the eye of the law, confiscated.

To add to the complexity of the problem, the courts of the various States in this country frequently differ in their decisions as to whether a certain type of legislative act is or is not to be deemed confiscation; and the Supreme Court of the United States often finds that a state court has erred in its conclusion on this question.

The distinction between confiscation and nonconfiscation in the States of this country often depends on the particular circumstances, or on ancient customs or historic, economic, or social institutions of one State which are nonexistent or inapplicable in another State. Thus the Supreme Court held that the Government may take a man's land for a levee, without compensation, in Louisiana; but a similar taking in Massachusetts would probably be held unlawful. So mill acts or flowage acts, founded on Colonial precedents, have been held valid in New England which might not be so held in newer States. It is evident that similar considerations may prevail as between different countries; and that history, local conditions, and local necessities may cause the same act to be treated as unlawful confiscation in the one country and lawful confiscation in the other. That which our Supreme Court holds not to be allowable under the police power a court of another country may find to be so fully in the interest of the public welfare as to justify a deprivation of property without compensation. In other words, that which our Supreme Court holds to be confiscation in law a court of another country may hold to be only confiscation in fact.

The existence of the grave gap between the fact and the law can be emphasized by a consideration of a few of the actual cases, set out in untechnical language, in which the Supreme Court of the United States has held that actions of Government did not constitute confiscation in law, but which the ordinary individual, ignorant of the law, would certainly assume to be confiscatory.

In the first place, let us note the interesting fact that in every one of the five cases which were described at the outset of this article the court

held that there was no confiscation in law.

Next, let us compare the case of a building-height law with a law taking property by eminent domain for public use. For instance, John Smith owns land on which he proposes to erect a fifteen-story building, which will produce a rental of \$150,000; a building-height law is passed, restricting his building to ten stories, which will rent for only \$100,000; Smith thus suffers an annual loss of \$50,000. On the other hand, James Johnson owns land on which he has erected two buildings, one renting for \$100,000 and the other for \$50,000; a law is passed taking the second building for governmental purposes; Johnson also suffers an annual loss of \$50,000. In the one case, the courts hold that there is no unlawful confiscation, since the legislature may, under the police power, inflict the injury, in view of the resultant safety and welfare of the city. In the other case, the courts hold that there would be confiscation in law, unless compensation be paid. Yet the monetary loss to Smith and to Johnson may be the same in each case.

Some other actual cases of a similar nature are as follows.

A man in Euclid, Ohio, owned land which, if used for industrial purposes, had a value of \$10,000 per acre, but, if used for residential purposes, had a value of only \$2500 per acre. A zoning ordinance confined the use of the land to residential purposes, excluding all shops and apartment houses. The value of the land was thereby considerably destroyed; but in law it was held that the ordinance was 'a valid exercise of authority.'

A cemetery corporation in San Francisco owned land remaining to be sold for burial purposes that was estimated to be worth \$75,000. A city ordinance forbade further burials there, and the

land of the corporation thus became worthless. Certainly its property had been confiscated in fact. But in law the court held no confiscation, since the ordinance was within the police power.

A man received from the State of Virginia a lease of valuable oyster beds in the waters of Hampton Roads. The State Legislature later authorized a city to discharge its sewerage into the Roads in such a way as to pollute the oyster beds. This action completely ruined and destroyed the beds, but in law it is not considered a damage requiring compensation by the State.

A railroad in Illinois owns a bridge on its right of way, valued at \$8000. The State, in creating a drainage district and widening a creek, orders the railroad to remove the old and build a new bridge, at a cost of \$13,000. The sum of \$13,000 is thus taken out of the railroad's pocket, for the benefit of owners of lands drained — a clear confiscation in fact. It is held, however, that this can be legally done, under the police power.

A street railway company in Chicago lawfully builds a tunnel under a river, in a manner not obstructive of navigation. Congress later decides to deepen the channel; the city orders the railway company to remove its tunnel and, if it desires a new one, to build it at a lower level at its own expense. Though the company is clearly deprived of its property in fact, the court holds that, in law, it is not to 'be deemed a taking of private property for public use . . . but is only the result of the lawful exercise of a governmental power for the common good.'

A man owns a livery stable in Little Rock, Arkansas. An ordinance forbids all livery stables, and it is held valid. So, too, a man in Pasadena has his money invested in a billiard hall,

fitted up at large expense and conducted in such a manner as not to be a nuisance in any way. An ordinance forbids the maintenance of such a billiard hall. In fact, his property is confiscated. In law, it is not.

A corporation in Mississippi manufactures and sells a nonintoxicating malt beverage. The State prohibits its manufacture, by a statute whose main purpose is only to prevent manufacture of intoxicating beverages. The innocent beverage has been clearly confiscated in fact, though not in law.

IV

When we approach the power of the Federal Government to inflict injury and loss upon an individual and to deprive him of his property rights without compensation, we find a series of cases in which the courts have upheld such a power, under the provisions of the broad clause of the Constitution giving to the Federal Government control of commerce between the States, which is held to include full authority over the navigable waters of the country. In this class of cases the complete divergence between the ordinary individual's idea of confiscation and the judicial view of that subject is even more impressive.

The oyster-bed case is a good example. There are many other less extreme cases. A corporation builds and owns for thirty years a wooden bridge over a navigable river. Congress authorizes the Secretary of War, whenever he finds that a bridge is an unreasonable obstruction to free navigation, to require its alteration. The Secretary orders an alteration which means the destruction of the old bridge and the construction of an entirely new, larger bridge, at a great loss and expense to the corporation. The court holds that this is 'not a taking of private property

for public use within the meaning of the Constitution, and that the cost of such alteration, or changes, is to be deemed incidental only to the exercise of an undoubted function of the United States when exerting, through Congress, its power to regulate commerce among the States.'

A woman owns a farm on the Ohio River. The Government builds a dike which throws the water away from her farm and destroys her use of the river for a landing or shipping place for her products, reducing the value of her land from \$600 per acre to \$200 per acre. The damage is actual, but in law it cannot be recovered for.

When we come to the subject of the individual's rights to transfer his own real estate during his life, or to devise or to transmit it after his death, we find those rights practically wholly subject to the power of the State to control, restrict, and even to prohibit. Fifty years ago the Supreme Court held that 'the power of the State to regulate the tenure of real property within her limits, and the modes of its acquisition and transfer and the rules of its descent and the extent to which a testamentary disposition of it may be exercised by its owners, is undoubted. It is an established principle of law, everywhere recognized, arising from the necessity of the case, that the disposition of immovable property, whether by deed, descent, or any other mode, is exclusively subject to the government within whose jurisdiction the property is situated.'

Thus a man owning agricultural land in California or Washington may find the value of his land almost wholly destroyed by a statute prohibiting him from selling or leasing it to Japanese or other classes of aliens. Yet the court holds such a statute not to be confiscatory. So, too, a citizen of a State

holding lands may be later forbidden by the State to convey or devise his lands to corporations. So, too, the owner of land may find himself later prevented by a state statute from devising it by will to any alien. Such a law is held nonconfiscatory, because, as the Court said, seventy-seven years ago, 'Every State or nation may unquestionably refuse to allow an alien to take either real or personal property situated within its limits, either as heir or legatee, and may, if it thinks proper, direct that property so descending or bequeathed shall belong to the State.' The right to take property by devise or descent is held to be 'the creature of the law, and not a natural right'; hence it may be restricted or entirely abolished by the legislature of a State at any time. So, too, an alien holding land may be later required by state statute or constitution to dispose of it within a reasonable time.

The foregoing are some of the cases in which actual injury, loss, deprivation, or destruction of property has been brought about by governmental action and which, nevertheless, have been judicially held not to constitute confiscation in law. Do they not lead to the conclusion that no individual can afford to be too dogmatic, too self-assured, too confident of the correctness of his view in pronouncing any particular governmental action confiscatory, until after the courts shall have passed upon it? And, if such is the conclusion with respect to individuals,

may it not be similar with respect to nations? At all events, is not the question of confiscation rather peculiarly and preëminently one to be submitted to judicial or arbitral determination?

Suppose that in any of the cases above described the class of property taken or destroyed had been owned chiefly by citizens of a foreign nation, and that the statute involved had been enacted by the Congress of the United States. Would our Government accept with equanimity the decision of the foreign nation that the statute was confiscatory, and that the question as to its confiscatory nature was not susceptible of submission to a court or arbitral tribunal?

And should it not be true of nations, as well as of individuals, that the more clear the conviction of right on the part of a nation, the greater should be its willingness to submit the question to judicial determination? Certainly no nation can maintain that it will arbitrate only those cases which it considers doubtful, and that it will not arbitrate when it is fully convinced of the justice and legality of its own cause.

Is it not well for us all to consider these questions very seriously — not with any intent to cast a doubt upon the validity of our Government's case against Mexico, but with the desire to satisfy ourselves as to the policy we think that our Government should adopt, in the future, with reference to arbitration of similar controversies?

SOUTH AFRICA SINCE THE UNION

BY LIONEL CURTIS

I

IN the same year that the English Parliament cut off the head of Charles I, the Dutch East India Company planted a station at the northern end of the peninsula which ends to the south in the Cape of Good Hope. Settlers were sent there to grow vegetables for the Dutch ships trading with the East. Their descendants, who are known to history as the 'Boers,' gradually spread to the interior and became as impatient of the government at Cape Town as were the American farmers of governments at Boston or New York. A revolt against Cape Town was actually threatening at the time Napoleon was trying to unite Europe against England and was dominating Holland.

In the course of that long struggle the British occupied Cape Town and, because it controlled the route to India, retained it after the Congress of Vienna in return for a payment to Holland of £6,000,000. But a British government at Cape Town was not likely to be more congenial to the Boers than its Dutch predecessor had been. They deeply resented its native policy, which was influenced by the antislavery movement. As their numbers rapidly increased they began to trek northward to the territories beyond the Orange and Vaal rivers. The British Government, interested merely in controlling the sea route to India, allowed the emigrants to found republics in the interior. But the young communities had difficulty in holding their own against hostile

natives. About the middle of the nineteenth century the Orange Free State applied to Sir George Grey, the Governor of the Cape, for protection. Grey then advised that the settlements in the interior should be federated with the Cape Colony and Natal under the British flag. The British Government, however, vetoed the proposal, and the Boer republics thenceforward began to develop the ideal of uniting South Africa from the Cape to Zambesi under a republican flag. South Africa was a national unit and, as subsequent events were to prove, the relations of the white to the black races could not be settled on any permanent basis so long as the country was parceled out into separate states. The question at issue was whether those states were to unite as a separate republic or as a self-governing dominion of the British Commonwealth like Canada or Australia. This issue was settled in the Boer War which lasted from 1899 till 1902 and ended in the annexation of the Orange Free State and the Transvaal. For the next five years these two territories were ruled as crown colonies, first by Lord Milner and then by Lord Selborne. When in 1907 responsible government was granted, General Botha became Prime Minister of the Transvaal with General Smuts as his lieutenant. In the Orange Free State a ministry was formed by General Hertzog.

In 1910 the Cape Colony, Natal, the Transvaal, and the Orange Free State

were all united under one government. This amazing achievement was the joint work of the two outstanding leaders of the Dutch and British races, General Botha and Dr. Jameson, the man who had headed the notorious raid on the Transvaal Republic in 1906. No indictment of his conduct on that occasion was ever so scathing as that which he himself once delivered in the hearing of the present writer. His co-operation with Botha in bringing about the Union was a conscious and deliberate act of reparation. In more senses than one it proved to be a labor of love. In the conference at which the constitution of South Africa was framed there developed between the Boer and the British leader a mutual admiration and a friendship which were never for a moment dimmed in the few years of life which remained to them.

When Lord Gladstone landed at Cape Town as Governor-General he had to decide forthwith whether to call upon John X. Merriman, the Prime Minister of the Cape Colony, or on General Botha to form the first South African ministry. The Cape Colony was the largest as well as the oldest partner in the new Union; Mr. Merriman had held ministerial office when Botha had been a boy in knickerbockers. Yet the Englishman's claims were passed over, and the Boer general, who had earned that title in fighting the British army, was preferred. It was Jameson's influence which turned the scale.

Had Botha been able to consult his own feelings, he would have formed his first South African ministry from the leaders of both parties with Jameson as his colleague. But the tide of enthusiasm which had carried the Union to port had begun to ebb, and Botha said to Jameson, 'What is the use of my coming to meet you until I can bring my people with me?' The doctor's breezy comment to his friends was

characteristic. 'The fat man is right. He always is.' So Jameson cheerfully headed the British party in opposition to the ministry of the Boer leader whom he loved and admired as once he had loved and admired Rhodes. The seeds of ill health sown in imprisonment after the raid were fast bringing Jameson's career to a close, and he was soon compelled to retire from politics.

In the three years that they had governed the Transvaal, from 1907 to 1910, Botha and Smuts had developed the ideal of fusing the Dutch and British races into one South African nation. Their experience in the course of the four following years as the virtual rulers of all South Africa led them to believe that its true interests could be realized only within the circle of the British Commonwealth. As ministers of the crown, they found themselves in actual practice freer from interference than Kruger or Steyn had ever been. As presidents of the Boer republics, Kruger and Steyn had had to consider the views of the British Government to the same extent that the presidents of Mexico or Colombia have to consider those of the United States. For reasons of geography as well as of politics the Union of South Africa, like Canada, Australia, or New Zealand, now goes its way with less feeling of restraint even than the nations of Europe, let alone the Latin American republics.

II

Botha and Smuts were so powerful in combination that no one doubted that so long as both were alive they would jointly rule South Africa. Botha was a farmer, who could read and write, but never did so unless he was obliged to. A born leader of men, he ended by making the British, against whom he had fought in elections and war, trust and believe in him. He divined rather than

reasoned, and seemed to know what was best to do by a kind of intuition. Smuts, on the other hand, was a lawyer with a first class in honors at Cambridge. His tutors described his mind as the finest they had ever taught. It is difficult to mention a book which he has not read and remembered. He has just published a book, *Holism*, which some philosophers say will constitute a landmark in metaphysics.

These two Afrikaners, farmer and scholar, were utterly devoted and loyal to each other and also to the country from which they sprang. As colleagues in office, they were quick to grasp the realities of the situation and spared no effort to convince the burghers who had followed them in the Boer War that South Africa had now attained to a freedom fuller than a victory in arms could have given them.

In this policy Botha, with all his unparalleled prestige, was only partially successful. With many of the Boers who had fought in the war, and still more with the younger generation whose memories began in the concentration camps, the bitter memories of that time were still stronger than the kindlier realities of the present. The concentration camps were a costly expedient. When Kitchener realized that guerrilla war in a vast country teeming with cattle could be ended only by depriving the commandos of their means of subsistence, he also realized that the British public would not tolerate a policy which meant not only starving women and children but also abandoning them to the mercy of the natives. He decided, therefore, to collect the families on the veldt into camps. He warned the officers entrusted with the task that later on charges of neglect and ill treatment in the camps were certain to be made, and instructed them to spare no pains to provide the healthiest possible conditions.

To begin with, the infant death rate was reduced to a mere fraction of that which prevailed on the farms under peace conditions. Presently an outbreak of measles greatly increased the death rate, but never to the point at which it normally stood before the war. The Boers who live on isolated farms do not bury their dead in churchyards. When a child dies in the home another mound is added to the little group of graves on the veldt at the back of the homestead. Near the concentration camps cemeteries were started where the graves were dug in serried rows. To-day they are places of pilgrimage and the favorite sites of national monuments. And so the camps which were intended to save the lives of the women and children, and actually reduced the rate of infant mortality, gave rise to a legend that the British poisoned the babies. More serious still was the lasting effect on the minds of people now in middle life who remember their removal as children from the farms to the restraints inseparable from internment in a camp. For a year or more their minds at the most impressionable age were steeped in an atmosphere of bitterness and hate. This particular poison will run in the veins of South Africa so long as that generation survives. Incidentally the camps, by relieving the Boers on commando of anxiety for their families, enabled them to prolong the struggle by at least a year.

So great was the prestige of Botha that he was able to carry part of his people with him in his policy of fusing British and Boer as one South African nation under the Union Jack. A large section, however, were unable to forget their fifty-years-old dream of a South Africa united from the Cape to Zambesi under their own republican flag. As the gringo jars on a Spaniard whose ancestor first conquered the pampas, so the Uitlander jars on the Boer whose

ancestors began to colonize South Africa in the time of Cromwell. Neither the peace of Vereeniging, the grant of self-government, nor the Act of Union can avail to remove this antipathy. A not inconsiderable section of his followers were unable to understand why General Botha did not use his majority to reverse the results of the Boer War and achieve the ideals for which he had led them throughout that struggle.

This unreconciled section of the Boers found their leader in General Hertzog, who represented the Orange Free State in Botha's first union cabinet. Relations between Botha and Hertzog became so strained that Botha resigned and re-formed his government without Hertzog, who thenceforward became leader of a party that adopted secession as a goal to be reached by constitutional means.

There were others, however, who were merely awaiting their opportunity to reach that goal by a shorter cut. General Beyers, who commanded the South African forces quartered at Potchefstroom in the Transvaal, had an understanding with the General Staff at Berlin. When war burst on the world in 1914 and Beyers realized that Botha and Smuts were determined to throw in their lot with the British Commonwealth, he resolved on a military coup d'état. In this move he was set on securing the leadership of General Delarey, whose prestige with the Boer people was second only to that of Botha himself. This old Huguenot leader, with the blood of French kings in his veins, was devoted to Botha; but Beyers was able to use to his ends a soothsayer who had long ago acquired a paramount influence with Delarey. In the Boer War this soothsayer had one day told him that if he took a particular direction in his march he would achieve a great

success. On that day he captured Methuen, and the influence of the soothsayer was firmly established by the lucky guess he had made. He maintained that influence by observing events and following the direction which he thought they were taking. In 1908, when the British and Dutch were combining to establish the Union, the civilized world had begun to realize the dangerous goal to which German militarism was tending. Anxious to allay the alarm to which his naval programme was giving rise, the Kaiser published his preposterous interview with 'a distinguished diplomat' in the *Daily Telegraph*. In this interview he informed the world that, so far from showing hostility to the British people in the Boer War, he had actually furnished their Government with the plan of operations which had led Lord Roberts to his first victories. The Kaiser's telegram to Kruger at the time of the Jameson raid had naturally led the republics to expect that Germany would intervene on their side. His subsequent boast that he had helped the British during the war did nothing to conciliate England and naturally created in the Boer mind an impression of treachery. It did much to promote a growing feeling of friendship between Boer and British. Then came Sir Edward Grey's frank statement that, as Germany had refused to modify her naval programme, the British Government was resolved to lay two keels to every one laid by Germany. At this juncture Delarey hurried to Pretoria to inform Botha that his soothsayer had warned him that war was about to break out with Germany and that Boer and British would be fighting on the same side.

In 1914, however, the prophet had changed his tune. South Africa, he pronounced, was now destined to declare her independence and God was

commanding Delarey through his lips to fulfill the divine purpose.

Devoted as he was to his old comrade Botha, the mind of the old general must have passed through a terrible conflict. In the end his blind faith in his prophet prevailed and he agreed to go with Beyers from Pretoria to Potchefstroom. Beyers already knew that he could count on certain units of the forces quartered at Potchefstroom. But he also knew that the example of Delarey would detach large sections of the Boers from their loyalty to Botha, who at that moment was at Cape Town with Smuts. His plan was to raise the North under the command of Delarey, seize all the munitions, and present Botha and Smuts with a fait accompli before they could leave Cape Town.

The plan was frustrated by an accident such as Hollywood might reject as too improbable to be worth filming. To reach Potchefstroom from Pretoria, the automobile in which Beyers was conveying Delarey had to cross the gold fields. It so happened that at this juncture a gang of motor bandits had frustrated all the efforts of the police to catch them. On the night that the two generals were crossing the gold fields, secret orders had been given to the police to challenge and search every car. If, on hearing the challenge, the driver refused to halt, the police were instructed to shoot at the tires. As a result of these orders two men lost their lives that night. One was a doctor speeding to an urgent case. The other was Delarey. When the police challenged his car Beyers thought that his plot was detected and ordered the driver to put on speed. The police fired at the tires, and a bullet which ricocheted through the back of the car killed Delarey on the spot. The driver pulled up the car, and the policemen, on reaching it, were

overcome with horror to find they had killed one of the foremost figures in South Africa. Beyers, on his part, assumed that his plans were known to the police, and the whole party proceeded to the police station in silence, under a complete misunderstanding as to each other's motives. On arrival at the station Beyers asked leave to use the telephone and must have been astonished at the readiness with which his request was granted. He rang up his confederates at Potchefstroom and, under the impression that the police knew all about his designs, told them that Delarey had been shot, leaving them to assume that their plans were known to the Government.

The news, of course, brought Botha and Smuts back to the Transvaal immediately. Beyers meanwhile went to Potchefstroom and in desperation headed the units who were willing to follow him in rebellion. But delay, coupled with Delarey's death, had destroyed his chances, and Botha was once more master of the situation. The rebellion was crushed and Beyers was shot or drowned, trying to escape by swimming his horse across the Vaal.

III

Botha and Smuts were now free to essay their appropriate task in the war of expelling the German forces from Southwest Africa. This they accomplished with conspicuous ability. Today Southwest Africa, although administered under a mandate from the League of Nations, is to all intents and purposes a part of the South African Union. Later on, the far more arduous task of conquering German East Africa was entrusted to South African forces. It is now administered by the British Government under a mandate. Yet the fact that its conquest was the work of South African forces — though financed

by the Imperial Government — has wrought a change which can scarcely be reversed. One is now conscious of nerves that run from the Cape of Good Hope right up to the regions where gather the waters that fertilize Egypt. On a map of the Transvaal you will find far north of Pretoria a town called Nylstroom. It stands at the head of a stream which the old *voortrekkers* thought was the source of the Nile. The early *voyageurs* up the St. Lawrence who found their progress barred by the Lachine Rapids thought they stood on the threshold of China. So do coming events cast their shadows before them.

After the Armistice a deputation headed by General Hertzog set out for Paris to demand from the Peace Conference the independence of South Africa in the name of the principle of self-determination. At General Botha's request Mr. Lloyd George received them, but as they left their hotel for the interview they must have been conscious of the practical difficulty of stating their case. With characteristic honesty General Hertzog declared that South Africa had no complaint to make of the conduct of the British Government since the union. The deputation had, moreover, no ostensible right to claim that they voiced the majority of the South African people. Yet the mere fact that the leaders of the opposition would come six thousand miles to make such a demonstration proves the depth of the feeling among their followers they were come to express.

In the death of Botha, which took place soon after the Conference, South Africa lost a leader who may one day fill in her history a place not unlike that which Washington fills in the hearts of Americans.

In comparing the record of those who faced the tasks of government after the war with their own performance during the war one thinks of Cavour's remark

that 'anyone can govern a city in siege.' More delicate and arduous are the tasks of reconstruction after the siege, as Venezelos, Clemenceau, Woodrow Wilson, Lloyd George, and Hughes of Australia were each to discover. Except in periods of cataclysm, average electors and legislators distrust a leader whose mind works faster than their own and prefer a leader who seems no cleverer than themselves — a Calvin Coolidge, a Stanley Baldwin, or a Mr. Bruce. The gifts which enabled Smuts in London or Paris to fill so large a place in the eyes of the world alienated many of the Boers who had followed Botha as one of themselves. Smuts therefore felt that the time had come to do what Botha would have liked to do in 1910. He persuaded the British who had followed Jameson to merge their organization into that of the South African Party and included several of the leaders in his ministry. He thus succeeded in forming a government and party composed of men who had fought each other under Kruger and Milner.

In opposition to this government were ranged not only the Nationalists, under Hertzog, but also the Labor Party, consisting partly of British mechanics and partly of landless Boers who are now migrating in large numbers from the veldt to the cities. In 1922 the miners on the Rand began a strike which communist agitators sought to develop into revolution. The rising was crushed by Smuts, who personally directed the artillery and aircraft which had to be called into action. When order was restored the strikers complained that they were left to the mercy of the employers. Henceforward Smuts was obliged to reckon with the permanent antagonism of Labor to himself and to the South African Party.

Hertzog had been slow to face the issue to which the policy of secession was bound to lead. If South Africa

seceded from the British Commonwealth nearly half the white population would be faced with the choice of either abandoning their status of British subjects or else living as disfranchised aliens in the country where they have made their homes. It is the same issue which de Valera refused to face when he insisted on his claim for republican status for an undivided Ireland, simply ignoring the fact that at least one third of its inhabitants would die in their tracks rather than surrender their right to be called British subjects. In South Africa all parties, but especially the Boers, are prone to think as though in political matters the whites, who number only some 1,700,000, alone count. In the last analysis, 5,000,000 natives and colored people cannot be ignored in the eyes of the world, and they to a man are passionately attached to their status as British subjects. The secession of South Africa would in fact mean that less than one fifth of the whole population would impose their will on an overwhelming majority. Such a change could be effected only at the cost of a civil war, in which the Government would find itself opposed by a numerical majority with treaties as well as constitutional rights on their side.

The number of Boers on the back veldt who would like independence is very much larger than the die-hard section who are ready to achieve it at cost of bloodshed. In 1924 Hertzog, faced by the prospect of an electoral contest, seems to have realized that he could never have secured a majority on terms like these. His only chance was an alliance with Labor. But a large number of Labor supporters are British-born. The Nationalists, therefore, fell back on the policy of agreeing with Labor that if they could jointly defeat Smuts they would form a coalition government on the understanding

that the Nationalist policy of secession should remain in abeyance. These tactics succeeded, and Hertzog came into power with a ministry in which several leaders of the Labor Party were included. His government, like that which it ousted, includes elements from the two races which fought each other in the Boer War.

Two years of responsible office seem to have softened in General Hertzog that strain of fanaticism which long caused him to be regarded as the stormy petrel of South African politics. He has clearly come to see that the project of separating the South African Union from the British Commonwealth could only lead straight to a precipice. But he has in his cabinet at least one colleague, Dr. Malan, who stands to him in much the same position that he himself stood to Botha in the cabinet of 1910. Instead of allowing the issue to sleep, Dr. Malan revived it by introducing a bill to institute a South African flag which should include neither the colors of the old republics nor those of the Union Jack. The step was not so extreme as that taken by the government of the Irish Free State in substituting the flag adopted by Sinn Fein for the Union Jack. But in all the other Dominions the flag adopted has been that of the Union Jack with a local symbol added, in the case of Canada the maple leaf, in Australia and New Zealand the southern cross. This proposal which Dr. Malan forced on the Government was treated by the South African Party as an indication that secession was merely in abeyance and still remained the cardinal item in the Nationalist creed. It has also made the position of the Labor members in the Government exceedingly difficult.

Public opinion was further agitated by a series of measures for which General Hertzog himself was directly

responsible, affecting the position of the colored population and the natives — the question that is at the root of all others in South Africa. Under British rule the policy adopted in the Cape Colony was based on the principle enunciated by Rhodes: 'Equal rights for all civilized men.' The native policy of the Boer republics was indicated by an article included in both their constitutions: 'In Church and State there is no equality between black and white.'

Two opposite and incompatible policies had thus taken root to the south and north of the Orange River. They constituted at once the strongest reason for union under one government and the greatest difficulty in bringing about that union. The difficulty was overcome by a compromise under which the colored people and natives in the Cape retained their right to the franchise while the white population north of the Orange River retained their monopoly of the vote. The ultimate solution of the problem was wisely left to be dealt with in the future by the government and legislature of the Union.

General Hertzog decided to attempt the solution in a series of measures. Of these, one seeks to harmonize the electoral arrangements by allowing natives throughout the Union to vote apart from the whites in constituencies of their own for members who would represent their interests in the legislature on communal lines. It is in principle the system under which the Maoris are represented in New Zealand, though with very important restrictions. The natives and colored people, even those north of the Orange River where they are now disfranchised, are practically united in opposition to this principle. For the reason already indicated, the native controversy is intimately connected with the

question of secession; the natives and colored population look to the British connection to secure them such rights as they have.

The South African Party is officially opposed to Hertzog's measures, but its leaders are painfully aware that considerable sections of their own followers are not out of sympathy with the principles which inspire them.

Such in bare outline was the domestic position by which General Hertzog was faced when he left to attend the Imperial Conference of last autumn. He could not appear at the Conference without in some measure defining the relations his government wished to establish between the Union of South Africa and the British Commonwealth. The admitted success with which he had emerged from a difficult position is due in part to the anxiety of the British Government to help him, but is due still more to the simplicity of his character. As noticed above, the communities of the English-speaking world have exchanged the brilliant figures which brought them through the war for leaders of a less sensational type. With General Hertzog the average human being feels that he stands on an equal footing. He is not disturbed by any symptom of intellectual superiority. The General has no taste for the limelight, and in his ripper years gives an impression of sincerity rather than fanaticism. He has, moreover, that perfect courtesy which sometimes springs from a fundamental humility. The British public, which admires reserve, was deeply impressed with his obvious reluctance to play to the gallery or force himself on the public attention. He earned respect by keeping back what he had to say until he had said it to his colleagues in the Conference.

In spite of all his speeches in opposition, he must after two years in the

office of Prime Minister have entered the Conference with a sense that his country had more to lose than gain by drastic changes in its international status. In the British Commonwealth and its component states the King is in fact a president, with executive powers reduced to the vanishing point by the fact that he holds his position by heredity and not by election. The kingly power now rests with the Prime Ministers, who exercise that power subject to the will of their respective legislatures and electorates. The authority which governs each country is in fact that will, and the mutual relations of these several countries in the Commonwealth are maintained by an exercise of voluntary coöperation, aided by the fact that they are physically separated by oceans. All this is a matter of convention and custom, which hitherto has been unwritten. The solution of General Hertzog's difficulty has been met in the Imperial Conference by the simple expedient of writing these conventions down in a declaration couched in language intelligible to the Boers of the South African veldt. Englishmen who argued these things in South Africa could always be confronted with the legal phraseology of the constitution. They could always be met by the argument, 'If these things are really so, why not, then, state it in writing?' A written statement to which General Hertzog is himself a party has had the effect, not only of silencing this criticism, but also of convincing many of the Boers who were doubtful before that they now have not merely the appearance but the very substance of freedom.

In the speeches which General Hertzog has made since his return to South Africa he seems to have frankly abandoned once for all the old mischievous idea of keeping the Dutch and British races in separate and parallel

streams. He, like Botha and Smuts, to whom he paid graceful compliments at Pretoria, now seems to look forward to a future when both will mingle to an increasing degree as one South African nation. Happily there is not, as in Canada, any religious division to keep them apart, and the British stock blends more readily with the Dutch than it does with the French.

IV

The domestic problem of South Africa has long been calling for her undivided attention. Here, as in your Southern States, everything ultimately hinges on the relations of black to white. The European seeks to reserve skilled occupations to himself at a high wage. The unskilled labor is left to be done by Kaffirs at a wage appropriate to the standard of Kaffir life. Inevitably the feeling arises that a white man who earns his living by unskilled labor has lost caste. Drudgery in all its forms is regarded as the badge of an inferior race; the fact is ignored that in most branches of life drudgery is the school in which alone skill can be learned. The result is that a dangerously large proportion of the whites fail to acquire skill either in farming or in handicrafts. Even if a European is prepared to face the social prejudice against doing unskilled labor, he cannot live on the wage which the Kaffir is forced to accept. As in your Southern States before the Civil War, the result is to be seen in the multiplication of poor whites, a class for whom there is no place in the economic system. When the Boer population was returned to the land after the war in 1902, it was found that at least ten per cent were without property and devoid of capacity or desire to earn their own bread.

For two centuries this surplus element

was absorbed in the vast hinterland which lay beyond the settled areas. Toward the end of the nineteenth century this process had reached its limits. There were no further areas in which white men could live by hunting and watching a few degenerate cattle graze on such scanty fodder as the wilderness yields.

At this turning point in the economic life of South Africa the richest gold mines in the world were discovered in the Transvaal. The poor whites were entitled by their color to the vote, and were therefore a political factor with which every government had to reckon. In Kruger's days they were supported by doles in various forms. Since the grant of responsible government, the expedient has been used of giving unskilled labor to poor whites at about five times the wage which would have to be paid to the Kaffir for the same result. The engineering department of the great Johannesburg municipality is a case in point. By a standing order the digging of drains has to be done by the labor of whites paid at 12/6 a day instead of by Kaffirs whose wage would be 2/6 a day. The extra charge which has to be met by the ratepayers on this account alone is about £36,000 a year. The same policy has also been applied by the Provincial Government of the Transvaal to roads. The poor-white vote is divided between the Nationalist and Labor parties, whose leaders jointly constitute the Union Government now in power, with the result that the policy of displacing Kaffir by white labor on the railways has been applied on a wholesale scale. The cost, estimated at £700,000 a year, is of course reflected in the rates on the carriage of goods and passengers. Anxiety to find employment for poor whites also encourages the maintenance of high tariffs directed to the development of industries for which the country

is not yet ripe. Again the charge is borne by the mining and farming industries, and so operates to check the growth of the productive enterprise natural to the country. High costs limit the mines to the higher grades of ore and delay the development of land which at lower freightage and custom charges could be brought under profitable cultivation.

This policy is having the effect of attracting the poor whites, who are mainly of Boer origin, from the land to the towns. The register of a district nursing association in Johannesburg shows that ninety per cent of their cases have Dutch names. The great majority of these cases are entirely dependent for subsistence on the Rand Aid Association, the substitute for a poor-law authority in that area, which derives most of its funds from the public revenues.

The Union was based on an agreement that the two languages should stand on a footing of absolute equality, since interpreted to mean that every public official must be able to speak Afrikaans as well as English. This means in practice that the older population can obtain public employment more easily than the later English-speaking settlers, who grudge the time necessary to learn a language of less general utility to them than a knowledge of English is to the Dutch. The older population is thus learning a dangerous habit of looking to the Government for employment. The English-speaking settlers, on the other hand, tend to regard the Government as a necessary evil which has to be reckoned with like droughts or pests. As a member of the legislature said, South Africa is afflicted by three curses: tick, ticks, and politics. Thrust back on themselves, the newcomers are forced to depend on their own energies. The result is that while the Dutch are

leaving the land and crowding to the towns, where they can subsist on the public revenues, the land is more and more falling into the hands of enterprising immigrant farmers. If the present process continues, the time is not distant when the strength of the British element will be found on the land, while the great towns have become strongholds of Dutch political power.

The growth of public expenditure since the union is indeed startling. In 1911 and 1912 the Union and Provincial Governments together spent close on £25,000,000. In the present year they are spending close on £59,000,000. The expenditure per head of the population has in this period risen from £2 to £4.2. The pressure of the older population on the Government for employment is largely responsible for the rise.

The South African farmer has always regarded the mining industry as the American farmer regards Wall Street. In South Africa the feeling has been greatly accentuated by racial antagonisms, for, while the farmers were mainly Dutch, the mining industry was the work of Uitlanders. For the reasons sketched in this article, there is good prospect that racial antagonism may now begin to decline; and if it does, the Dutch as well as the British farmer will begin to realize that his industry, as well as that of the mines, is seriously hampered by the rapid growth of public expenditure. And this tendency is likely to be helped in the immediate future by a sharp decline in the output of gold, which seems to have now reached the highest point it is likely to touch. The forecast of Sir Robert Kotze (the Government Mining Engineer, an official of acknowledged ability) for the next fifteen years is as follows. Taking the output for 1925 as represented by 100, he predicts that in

1930 it will have fallen to 76.8, in 1935 to 52.1, and by 1940 to 17.9. If, as is said, one half of the public revenues are directly or indirectly derived from the mining industry, the municipal and provincial authorities as well as the Central Government will presently have to consider whether it is possible, as well as just, to replace black laborers by white, irrespective of the comparative value of the service they render. Such a policy is in the long run more fatal to the dominant than to the subject race.

Economic problems and the color question are thus inseparable. In the past the natives and the handful of whites who have championed their claims have looked to the Imperial Government to safeguard the rights of the subject race. With the recent declaration of the Imperial Conference before them, they can do so no longer, and the natives feel that England has left them in the lurch. Yet, when once the principle of responsible government was accepted, British intervention could do practically nothing to improve the position of the native. Such improvement can only come from a growing feeling of responsibility in the white electorate of South Africa, a growth which the mere possibility of British interference has tended to check. In considering the far-reaching proposals of General Hertzog, the electorate of South Africa now knows that it has to decide the grave issues involved without let or hindrance on the part of the Imperial Government. It must feel its own way to the principles which ought to govern the relations of a subject to a dominant race. A rapid exhaustion of the buried treasures which have helped to maintain artificial conditions may hasten the process. For the next generation South Africa is likely to retain its character as a place of absorbing interest to the student of social problems.

THE CONTRIBUTORS' CLUB

SOMETHING IN THE EYE

I HAD something in my eye. I had spent the forenoon in trying all the familiar remedies. I had blown my nose under my secretary's careful instructions; I had winked and rubbed in strict observance of directions from interested friends. To no avail — at noon I still had something in my eye.

With tear-stained cheek I sought medical assistance. It was midsummer. I rang doorbells up and down the street. Always the same answer — Dr. So-and-So was out, his hour of return and his present whereabouts shrouded in mystery. What becomes of the doctors at noon in midsummer?

An hour of fruitless effort resulted in rapidly approaching blindness and the purchase of three pocket handkerchiefs. Just at the moment when my despair was blackest my one remaining and seeing eye observed a coldly classic doorway ornamenting a Greek temple of colossal proportions. A tiny brass sign bore the legend, 'Charitable Eye and Ear Infirmary.'

My heart leaped. Here at last was respite from my woe! Where in all the world could a thing be extracted from the eye more quickly and skillfully than in an 'Eye and Ear Infirmary,' and where could sufferer look for greater tenderness than in such an institution brazenly labeled 'Charitable'?

I entered the massive portal. All was cool and still. The enormous rotunda was deserted, but scores of open doors invited. I chose one haphazard and found myself in a beautifully appointed office. A lady of singularly unhappy mien, considering the luxury of her

surroundings, was seated at a table facing the door. I approached her and explained my errand. She was strangely unsympathetic. Inured to suffering, I fancied. She opened a drawer and took from it a pink card. She wrote my name and address on it and handed it to me. 'Fourth door on the left,' she said, and turned to the window.

I found the fourth door on the left. Another room of equal grandeur; another sad-eyed woman at another desk. I handed her the pink card. She took a blue one from a drawer and copied my name and address on it, adding other illegible notes. She handed it to me. 'First corridor on the left — Room 80,' she said, and resumed her sad communings.

I found Room 80. It was larger but less elaborately furnished than the others. A man replaced the sad-eyed ladies, but he was a stricken-looking creature. He sat in the centre of the room, and about the walls a circle of sufferers. He took my card and whispered, 'Be seated.'

I sat against the wall and nursed my eye. Silence reigned; a clock ticked. One by one the sufferers rose, approached the desk, received whispered instructions, and vanished. I waited and nursed my eye. An hour passed; I was faint with hunger.

At last a number was whispered. I recognized it as the one upon my card. I rose and went to the desk. 'Dr. Smith will see you. Third door on the right.'

The world looked bright again. There was a doctor in the city and he was about to remove the mote from my eye. I hastened to him, pain and hunger forgotten.

The third door on the right admitted me to a tiny office. I confronted a furtive-looking youth in the early twenties. He looked me over critically. I hastened to explain my needs.

'One moment,' he said with just a shadow of impatience. 'Is this a charity case?'

'Oh, no,' I exclaimed. 'I will gladly pay for such attention as I need.'

At that moment I would have given half my worldly possessions to have my eye restored to a normal condition.

He sighed deeply. 'You are in the wrong ward; you must return to the office and start over again.'

I started to remonstrate, but was cut short.

'Kindly return to the office.' He spoke with decision and pressed a button by the door.

I was again in the corridor. 'Return to the office.' It was easily said, but where was the office? I wandered aimlessly about. Every corridor seemed to lead to a window with a fire escape. I did not dare open one of the hundreds of closed doors. I heard the soft sound of rubber soles behind me and I turned to face a youth in a white jacket with masses of flaming red hair. His status in this highly complicated establishment was indicated by the mop and pail which he carried. He had a pair of humorous blue eyes and was whistling very softly. One glance at those eyes and I was convinced. I explained my plight. He listened attentively. He was the first person I had met who would listen, and I made the most of it.

'So you want to get to the office and begin over again,' he said.

I explained to him that I had no such plan. I only wished my freedom; I only wanted to get out of the accursed building and with my one remaining eye to see the blue sky once more.

'This is a very difficult place to get into,' he said, 'and much more difficult

to get out of. Since you are here, to leave without treatment would be — er — irregular.' The faintest shadow of a smile lurked in his eyes as he said the word.

'But my eye hurts like the devil.' I was becoming angry and profane.

'I know it does,' he said.

A solemn silence ensued while he seemed to be listening intently. He took me by the arm and led me to the end of the corridor; he placed me at the window and opened a door which swung across the corridor and concealed us completely. He whipped an immaculate handkerchief from his pocket and wound it about a match.

'This is highly irregular,' he said, as he delicately probed my eye.

A swift movement, a suggestion of pain, and my eye closed normally. The thing — whatever it was — troubled me no more. I grasped his hand in mine. I pressed money upon him.

He shook his head and said, 'You are in the charity ward.'

At that moment his alert ears detected danger. 'Come with me,' he whispered, and swung open another door which gave on a circular iron stairway.

At the next floor we met another young man. My guide directed him to 'steer this gentleman out.' I thought I detected just the shadow of a quiver in his right eyelid. We threaded our way through the boiler room, and a small basement door opened to let me into a paved area. It was but a step to the street and liberty. Once more I saw the world with normal vision; once more I took my place in the ranks of seeing men.

I passed once more the classic doorway. Once more I read the brazen sign, but without emotion, for I carried with me a vision of a flaming head and lips that whispered, 'This is all highly — er — irregular.'

THE POETIC NUISANCE

WE are, says an ancient philosopher, merely the cells in the brain of the world. When her sleep is broken by nightmare, we perish in war; when she falls in love with some gypsy of the zodiac, nations vie with each other in loving-kindness; when she thinks of her God, a redeemer, slain with bitterness, arises with words of redemption.

Yet note how, for example, the quality of wars has changed. There were wars over the possession of beauty incarnate in a single woman; there were wars to deliver a holy city; there were wars to achieve the Sangraal. These were the half-sweet, half-troubled dreams of the young world. To-day her nightmares are of oil wells, concessions, stocks and bonds — all the interests, in short, of a middle-aged being. Our world is middle-aged. Her thoughts are practical. She yearns for comfort as once she yearned for constellations so remote that they were merely daydreams in her consciousness. We are the thoughts of an established lady of independent, but not large, income; we are the record of her fifties. Her childhood is chronicled in anthropology, her adolescence in the mysteries of the vanished races. And her youth brought forth the poets.

Her thoughts raced in those days. Clean out of the bounds of reason they leaped, striding out in rhythm to chase the ineffable beyond the family hearth of our solar system and to lose themselves in the uttermost reaches of space. The poets, who were the thoughts of her adolescence, raised their chorus as lustily as frogs peeping in an April tarn. But poetry, romance, imagining, are qualities of youth which never yet have been known to survive the climate of maturity. The world's romantic days are over. There are realities to be dealt with, bank accounts to be

balanced. Her only child is lunatic. Brother poets, in the mind of this cosmic Hetty Green we are unwelcome memories.

This is the explanation of much that has seemed strange. The world in her middle age dislikes to be reminded of her youth. Was she disappointed in love? Did her father die leaving much less than was expected, so that she had to devote herself to making both ends of her orbit meet? Or has she merely succumbed to astral conventionality and decided that she has a place to maintain in Zodiacy? Certainly, whatever may be the cause, the effect is apparent. Since poets, these rebel cells in an otherwise efficient brain, insist on haunting her with their twaddle, down they must go, out of her consciousness, down to her subconsciousness, to the dark cerebral labyrinths of poets' clubs and Greenwich Village, where, utterly ignored if not forgotten by the healthy thoughts of finance to which are dedicated the upper spaces of the brain, they mill round and round in their own company. Or they may be sublimated and thus fitted for her consciousness. Their dreams may be turned into something practical; they may conform to a scheme (paying, of course) of uplift, service — all the greeting-card sentiment which, in the middle-aged mind of the world, passes for noble thinking.

Brother poets, we are silly to continue our futile strife. Were our world to visit a psychoanalyst, we should all be hauled out of her subconscious memory and set to work. Let us await a season when we shall again be welcome, when the world, grown old, drowns at twilight in the universal autumn beside the embers of the sun. She will welcome us then. We shall ring in her mind the bells of remembered happiness. We shall be the voices of her dotage.

JALNA: A NOVEL¹

BY MAZO DE LA ROCHE

XIII

A MILD steady wind was blowing which had appropriated to itself every pungent autumn scent in its journeying across wood and orchard. It blew in at the window and gently stirred the hair on Finch's forehead, and brought to his cheeks a childish pink. He did not hurry to get up, but stretched at ease awhile, for it was a Saturday morning. His mind was occupied in making a momentous decision. Should he put on some old clothes and steal out of the house, with only something snatched from the kitchen for breakfast, thus avoiding a meeting with Eden's wife, for he was shy of her, or should he dress with extra care and make a really good impression on her by appearing both well turned out and at ease?

Those who were early risers would have had their breakfast by now and be about the business of the day, but Eden never showed up till nine, and Finch supposed that a New York girl would naturally keep late hours. He wanted very much to make a good impression on Alayne.

He got up at last, and, after carefully washing his face and hands and scrubbing his neck at the washstand, he took from its hanger his new dark blue flannel suit. When it was on, and his best blue-and-white striped shirt, he was faced by the problem of a tie. He had a really handsome one of blue and gray which Meggie had given him on his last birthday, but he was nervous about wearing it. Meg would be sure to get on her hind feet if she caught him sporting it on a mere Saturday. Even wearing the suit was risky. He longingly fingered the tie. The thought of going to Piers's room and borrowing one of his entered his

mind, but he put it aside. Now that Piers was married young Pheasant was always about.

Hang it all! The tie was his, and he would wear it if he wanted to.

He tied it carefully. He cleaned his nails and polished them on a worn-out buffer Meggie had thrown away. Meticulously he parted and brushed his rather lank fair hair, plastering it down with a little pomade which he dug out of an old jar Eden had cast aside.

A final survey of himself in the glass brought a grin, half pleased, half sheepish, to his face. He sneaked past the closed door of his sister's room and slowly descended the stairs.

It was as he had hoped. Eden and Alayne were the only occupants of the dining room. They sat close together at one side of the table. His place was on Alayne's left. With a muttered 'Good morning,' he dragged forth his chair and subsided into it, crimson with shyness.

After one annoyed glance at the intruder, Eden vouchsafed him no attention whatever, speaking to Alayne in so low a tone that Finch, with ears strained to catch these gentle morning murmurings of young husband to young wife, could make out no word. He devoted himself to his porridge, humbly taking what pleasure he could draw from the proximity to Alayne. A fresh sweetness seemed to emanate from her. Out of the corner of his eye he watched the movements of her hands. He tried very hard not to make a noise over his porridge and milk, but every mouthful descended his throat with a gurgling sound. His very ears burned with embarrassment.

Alayne thought she had never before seen anyone eat such an immense plate of

¹A synopsis of the preceding chapters will be found in the Contributors' Column.—THE EDITORS

cereal. She hated cereals. She had said to Eden almost pettishly: —

'I do not *want* any cereal, thank you, Eden.' And he had almost forced her to take it.

'Porridge is good for you,' he had said, heavily sugaring his own.

He did not seem to notice that this breakfast was not at all the sort to which she was used. There was no fruit. Her soul cried out for coffee, and there was the same great pot of tea, this time set before her to pour. Frizzled fat bacon, *so* much buttered toast, and bitter orange marmalade did not tempt her. Eden partook of everything with hilarity, crunching the toast crusts in his strong white teeth, trying brazenly to put his arm about her waist before the inquisitive eyes of the boy. Something fastidious in her was not pleased with him this morning. Suddenly she found herself wondering whether, if she had met him first in his own home, she would so quickly have fallen in love. But one look into his mocking yet tender eyes, one glance at his sensitive full-lipped mouth, reassured her. She would — oh yes, she would!

She addressed a sentence now and again to Finch, but it seemed hopeless to draw him into the conversation. He so plainly suffered when she attempted it that she gave up trying.

As they got up from the table Eden, who was already cherishing a cigarette between his lips, turned, as if struck with an idea, to his brother.

'Look here, Finch. I wish you'd show Alayne the pine grove. It's wonderful on a morning like this. — It's deep and dark as a well in there, Alayne, and all around it grow brambles with the biggest, juiciest berries. Finch will get you some, and he'll likely be able to show you a partridge and her young. I've got something in my head that I want to get out, and I must have solitude. — You'll take care of her, won't you, Finch?'

In spite of the lightness of his tone, Alayne discovered the fire of creative desire in it. Her eyes eagerly explored his face. Their eyes met in happy understanding.

'Do go off by yourself and write,' she agreed. 'I shall be quite content to wander about by myself if Finch has other plans.'

She almost hoped he had. The thought of

a tête-à-tête with this embarrassed hobble-dehoy was not alluring. He drooped over his chair, his bony hands resting on the back, and stared at the disarranged table.

'Well,' said Eden, sharply, 'what are your plans, brother Finch?'

Finch grinned sheepishly. 'I'd like to take her. Yes, thank you,' he replied, gripping the back of the chair till his knuckles turned white.

'Good boy,' said Eden. He ran upstairs to get a sweater coat for Alayne, and she and Finch waited his return in absolute silence. Her mind was absorbed by the thought that Eden was going to write. He had said one day that he had an idea for a novel. Little tremors of excitement ran through her as she pictured him beginning it that very morning.

Rags was starting to clear the table. His cynical light eyes took in every detail of Finch's attire. They said to the boy, as plainly as words: —

'Ho, ho, my young feller! You've decked yerself all up for the occasion, 'ave n't yer? You think you've made an impression on the lidy, don't yer? But if you could only see yerself! And just you wait till the family catches you in your Sunday clothes. There won't be nothink doing, ow naow!'

Eden followed them to the porch. They met Meg in the hall and the two women kissed, but it was dim there, and Finch, clearing his throat, laid one hand on the birthday necktie and concealed it.

It was a day of days. As golden, as mature, as voluptuous as a Roman matron fresh from the bath, the October morning swept with indolent dignity across the land.

Alayne said something like this to the boy as they followed a path over the meadows, and, though he made no reply, he smiled in a way that lighted up his plain face with such sudden sweetness that Alayne's heart warmed to him. She talked without waiting for him to reply, till by degrees his shyness melted and she found herself listening to him. He was telling her that this path that led through the birch wood was an old Indian trail and that it led to the river six miles away when the traders and Indians had long ago been wont to meet to barter skins of fox and mink for ammunition and blankets. He

was telling her of the old fiddler, Fiddling Jock, who had had his hut in this wood before the Whiteoaks had bought Jalna.

'My granddad let him stay on. He used to play his fiddle at weddings and parties of all sorts. But one night some people gave him such a lot to drink before he started for his hut that he got dazed, and it was a bitterly cold night, and he could not find his way home through the snow. When he got as far as Granddad's barnyard he gave up and he crawled into a strawstack and was frozen to death. Gran found him two days after when she was out for a walk. He was absolutely rigid, his frozen eyes staring out of his frozen face. Gran was a young woman then, but she's never forgotten it. I've often heard her tell of finding him. She had Uncle Nick with her. He was only a little chap, but he's never forgotten the way the old fellow had his fiddle gripped, just as though he'd been playing when he died.'

Alayne looked curiously at the boy. His eyes had an hallucinated expression. He was evidently seeing in all its strangeness the scene he had just described.

They had now entered the pine grove. A shadow had fallen over the brightness of the morning like the wing of a great bird. In here there was a cathedral hush broken only by the distant calling of crows. They sat down on a fallen tree, on the trunk of which grew patches of moss of a peculiarly vivid green, a miniature forest in itself.

'I don't believe I'd mind,' said Finch, 'going about with a fiddle and playing tunes at the weddings of country people. It seems to me I'd like it.' Then he added with a shade of bitterness in his tone, 'I guess I've just the right amount of brains for that.'

'I do not see why you should speak of yourself in that way,' exclaimed Alayne. 'You have a very interesting face.' She made the statement with conviction, though she had just discovered the fact.

Finch made a sardonic grimace that was oddly reminiscent of Uncle Nicholas. 'I dare say it's interesting, and I should n't be surprised if old Fiddler Jock's was interesting, especially when it was frozen stiff.'

She felt almost repelled by the boy's expression, but her interest in him was steadily growing.

'Perhaps you are musical. Have you ever had lessons?' she asked.

'No! They'd think it a waste of money. And I have n't the time for practising. It takes all my time to keep from the foot of the form.'

He seemed determined to present himself in an unprepossessing light to her. And this after all the anxious care over his toilet! Perhaps the truth was that, having seen a gleam of sympathy in her eyes, he was hungry for more of it. But it was difficult to account for the reactions of Finch Whiteoak.

Alayne saw in him a boy treated with clumsy stupidity by his family. She saw herself fiercely taking up cudgels for him. She was determined that he should have music lessons if her influence could bring them about. She drew him on to talk, and he lay on the ground, sifting the pine needles through his fingers and giving his confidence more freely than he had ever given it before. But even while he talked with boyish eagerness his mind more than once escaped its leash and ran panting after strange visions. Himself, alone with her in this dark mysterious place, embracing her with ecstasy. After one of these excursions of the mind he would draw himself up sharply and try to look into her eyes with the same expression of friendly candor which she gave him.

As they were returning to the house, and Alayne's thoughts were flying back to Eden, they came upon a group in the orchard consisting of Piers and several farm laborers who, under his supervision, were preparing a number of barrels of apples for shipment. Piers, with a piece of chalk in his sunburnt hand, was going about marking the barrels with the number of their grade. He pretended not to notice the approach of his brother and Alayne, but when he could no longer ignore them he muttered a sulky 'Good morning' and turned to one of the laborers with some directions about carting the apples to the station.

Finch led Alayne from barrel to barrel, with a self-consciously possessive air, knowing that the farm hands were regarding them with furtive curiosity. He explained the system of grading to her, bringing for comparison apples from the different

barrels. He asked her to test the flavor of the most perfect specimen he could find, glossy, red, and flawless as a drop of dew.

'Mind that you replace that apple, Finch,' said Piers curtly in passing. 'You should know better than to disturb apples after they are packed. They'll be absolutely rattling about by the time they reach Montreal.' He took a hammer from one of the men and began with deafening blows to 'head in' a barrel.

Finch noticed Alayne's discomposure, and his own color rose angrily as he did as he was bid. When they had left the orchard Alayne asked: 'Do you think Piers dislikes me?'

'No. It's just his way. He's got a beastly way with him. I don't suppose he dislikes me, but sometimes —' He could not finish what he had been going to say. One could n't tell Alayne the things Piers did.

Alayne continued reflectively: 'And his wife — I just noticed her a moment ago disappearing into the shrubbery when she saw us approach. I am afraid she does not approve of me either.'

'Look here,' cried Finch. 'Pheasant's shy. She does n't know what to say to you.' But in his heart he believed that both Piers and Pheasant were jealous of Alayne.

He parted with her at the front door and went himself to the side entrance, for he was afraid of meeting his sister.

XIV

Alayne found Eden in the summerhouse, a vine-smothered, spiderish retreat, with a very literary-looking pipe in his mouth, his arms folded across his chest, and a thoughtful frown indenting his brow.

'May I come?' she breathed, fearing to disturb him, yet unable to endure the separation any longer.

He smiled an assent, gripping the pipe between his teeth.

'Have you begun the — you know what?'

'I do *not* know what.'

'The n-o-v-e-l,' she spelled.

He shook his head. 'No, but I've written a corking thing. Come in and hear.'

'A poem! I am so glad you are really

starting to write again. It is the first, you know, since we have been married and I was beginning to be afraid that instead of being an inspiration —'

'Well, listen to this and tell me whether I'm the better or worse for being married.'

He read the poem and it gained not a little from his mellow voice and expressive, mobile face. Alayne was somewhat disconcerted to find that she had no longer the power to regard his writing judiciously. She now saw it colored by the atmosphere of Jalna, tempered by the contacts of their life together. She asked him to read it again, and this time she closed her eyes that she might not see him, but every line of his face and form was before her still, as though her gaze were fixed on him.

'It is splendid,' she said, and she took it from him and read it to herself. She was convinced that it was splendid, but her conviction did not have the same austere clarity that it had carried when she was in New York and he an unknown young poet in Canada.

From the summerhouse after that issued a stream of graceful, carelessly buoyant lyrics like young birds. Indeed Piers with brutal jocularity remarked to Renny that Eden was like a cock sparrow hatching out an egg a day in his lousy nest under the vines.

It became the custom for Eden, Alayne, Ernest, and Nicholas to gather in the latter's room every afternoon to hear what Eden had composed that morning. The four became delightfully intimate in this way, and they frequently (Nicholas making his leg an excuse for this) had Rags bring their tea there.

It was pleasant to pour the tea in Nicholas's room for the three men, from an old blue Coalport teapot that wore a heathenish woolly cozy; and after tea Nicholas would limp to the piano and play from Mendelssohn, Mozart, or Liszt. Alayne never forgot those afternoons, the late sunshine touching with a mellow glow the massive head and bent shoulders of Nicholas at the piano, Ernest shadowy in a dim corner with Sasha, Eden beside her, strong in his shapely youth. She grew to know these two elderly men as she knew no other member of Eden's family except poor young Finch.

They seemed close to her; she grew to love them.

Meggie did not want to join the quartette in Uncle Nick's room. It was not the sort of thing she cared about. But she did rather resent the air of intimacy which was apparent between the uncles and Alayne, an intimacy which she had not achieved with the girl. Not that she had made any great effort to do so. Persistent effort, either mental or physical, was distasteful to Meg, yet she could, when occasion demanded, get her own way by merely exerting her power of passive stubbornness. But passive stubbornness will not win a friend, and as a matter of fact Meg did not greatly desire the love of Alayne. She rather liked her, though she found her hard to talk to — 'terribly different'; and she told her grandmother that Alayne was a 'typical American girl.' 'I won't have it,' Grandmother had growled, getting very red, and Meg had hastened to add, 'But she's very agreeable, Gran, and what a blessing it is that she has money!'

To be sure there was no sign of an excess of wealth. Alayne dressed charmingly but with extreme simplicity. She had shown no disposition to shower gifts upon the family, yet the family, with the exception of Renny and Piers, were convinced that she was a young woman of fortune. Piers did not believe it simply because he did not want to believe it, and Renny had cornered Eden soon after his return and had wrested the unromantic fact from him that he had married a girl of the slenderest means, and had come home for a visit while he 'looked about' him. And so strong was the patriarchal instinct in the eldest Whiteoak that Eden and Alayne might have lived on at Jalna for the rest of their lives, without his doing more than to order Eden to help Piers on the estate.

On one occasion Eden did spend a morning in the orchard grading apples, but Piers, examining the last of the consignment and finding the grading erratic, to say the least of it, had leaped in a fury into his Ford and rushed to the station, where he had spent the rest of the day in a railway car, wrenching the tops from barrels and regading them. There had been a family row after this, with Renny and Pheasant on the side

of Piers and the rest of the family banded to protect Eden. They had had the grace to wait till Alayne went to bed before beginning it. She had gone to her room early that night, feeling something electric in the air, and no sooner had her door closed than the storm had burst forth below.

She had been brought up in the atmosphere of a home peaceful as a nest of doves, and this sudden transplanting into the noisy raillery and hawklike dissensions of the Whiteoaks almost bewildered her. Up in her room she had quaked at the thought of her oddness among these people. When Eden had come up, an hour later, he had seemed exhilarated rather than depressed by the squall. He had sat on the side of the bed, smoking endless cigarettes, and had told her what this one had said and how he had squelched that one, and how Gran had thrown her velvet bag in Renny's face; and Alayne had listened, languid in the reassurance of his love, and he had sat down at his desk before he ever came to bed and had written a wild and joyous poem about a gypsy girl, and had come back to the bed and read it loudly and splendidly, and Nip, in Uncle Nick's room across the hall, had started up a terrible yapping, and one of Eden's cigarette stubs had burned a hole in the quilt.

Alayne wondered with a feeling of apprehension when Eden was going to bestir himself to get a position. After the affair of the apples, he spent more and more time in the summerhouse, for he had begun another long narrative poem. Proof sheets of his new book had arrived from New York, and they demanded their share of his time.

Alayne, who was supposed to be the inspiration of this fresh wellspring of poetry, found that during the fierce hours of composition the most helpful thing she could do for the young poet was to keep as far away from him as possible. She explored every field and grove of Jalna, followed the stream in all its turnings, and pressed her way through thicket and bramble to the deepest part of the ravine. She came to love the great unwieldy place, of which the only part kept in order was the farm run by Piers.

Sometimes Finch or Wakefield accompanied her, but more often she was alone.

On one of the last days of autumn she came upon Pheasant, sitting with a book in the orchard. The young girl had thrown down her book and, with head tilted back and eyes closed, was more than half asleep. Alayne stood beside her, staring down at her, but she did not stir, exposing her face to the gaze of the almost stranger with the wistful unconcern of those who slumber. It seemed to Alayne that she had never before really seen this child, for she was little more than a child. With her cropped brown head, softly parted lips, and childish hands with their limply upturned palms, she was a different being from the secretive pale girl, always on her guard, whom Alayne met at table and in the drawing-room at cards. Then she seemed quite able to take care of herself, even faintly hostile in her attitude. Now, in this relaxed and passive pose, she seemed to ask for compassion and tenderness.

As Alayne was about to turn away Pheasant opened her eyes, and, finding Alayne's eyes looking down into them with an expression of friendliness, she smiled as though she could not help herself.

'Hullo,' she said, with boyish brevity. 'You caught me asleep.'

'I hope I did not waken you.'

'Oh, I was only cat-napping. This air makes you drowsy.'

'May I sit down beside you?' Alayne asked, with a sudden desire to get better acquainted with the young girl.

'Of course.' Her tone was indifferent, but not unfriendly. She picked up her hat, which was half full of mushrooms, and displayed them. 'I was gathering these,' she said, 'for Piers's breakfast. He can eat this many all himself.'

'But are n't you afraid you will pick poison ones? I should be.'

Pheasant smiled scornfully. 'I've been gathering mushrooms all my life. These are all alike — the orchard kind. Except this dear little pink one. I shall give it to Wake. It's got a funny smoky taste and he likes it.'

Alayne asked, 'Have you known Piers for a long time? I suppose you have, for you were neighbors, were n't you?'

Pheasant stiffened. She did not answer for a moment, but bent forward plucking at the coarse orchard grass. Then she said in

a low voice, 'I suppose Eden has told you about me.'

'Nothing except that you were a neighbor's daughter.'

'Come, now. Don't hedge. The others did, then. Meg — Gran — Uncle Nick?'

'No one,' answered Alayne, firmly, 'has told me anything about you.'

'Humph. They're a funny lot. I made sure they'd tell you first thing.' She mused a moment, biting a blade of grass.

'Then what is it?' persisted Alayne, her tone still light, but her face becoming very serious.

Pheasant picked up one of the misshapen apples of the old tree and balanced it on her palm.

'Oh, you're different — that's the principal thing. You don't seem to know anything about real life.'

Alayne could have laughed aloud at the answer, that this ignorant little country girl should doubt her experience of life. Yet — it was true enough that she did not know life as they in this backwater knew it, where no outside contacts modified the pungent vitality of their relations with each other.

She sat a moment in thought, and then she said gently, 'You are mistaken if you think that I should be easily upset by anything you would care to tell me. Not that I want to urge your confidence.'

'Oh, it's not a matter of confidence,' exclaimed Pheasant. 'Everybody in the world knows it but you, and of course you'll hear it sooner or later, so I may as well tell you.'

She laid the apple on the grass and, clasping her ankles in her brown hands, sat upright, with the air of a precocious child, and announced: 'I'm illegitimate — what Gran in her old-fashioned way calls a bastard. There you are.'

A bright color dyed her cheeks, but she flung out the words with pathetic bravado.

'I am sorry,' murmured Alayne, 'but you do not suppose that that will affect my feelings for you, do you?'

'It does most people's.' The answer came in a low, husky voice, and she went on hurriedly: 'My father was the only child of an English colonel. His parents doted on him. He was the delight of their old age. My mother was a common country girl and

she left me on their doorstep with a note, exactly the way they do in books. They took me in and kept me, but it broke the old people's hearts. They died not long after. My father —'

'Did you live with him?' Alayne tried to make it easier for her by a tone of unconcern, but her eyes were filled with tears of pity for the child who, in such quaint phraseology, — 'the delight of their old age,' indeed, — told of the tragedy of her birth.

'Yes, till I was married. He just endured me. But I expect the sight of me was a constant reminder — of what he'd lost, I mean.'

'Lost?'

'Yes — Meg Whiteoak. He'd been engaged to her, and she broke it off when I appeared on the scene. That's why she has that glassy stare for me. All the Whiteoaks were against our marriage, of course. It was adding insult to injury, you see.'

'Oh, my dear.'

The significance of looks and chance phrases that had puzzled her became apparent. She was pierced by a vivid pain at the thought of all the unmerited suffering of Pheasant. She said, 'You have had rather a hard time, but surely that is all over. Meg cannot go on blaming you for what is not your fault, and I think the others are fond of you.'

'Oh, I don't know.'

'I should be if you would let me.' Her hand moved across the grass to Pheasant's. Their fingers intertwined.

'All right. But I warn you, I'm not a bit proper.'

'Perhaps I am not so proper as you think.' Their fingers were still warmly clutched. 'By the way, why does n't Piers like me? I feel that it will not be altogether simple to be your friend when he is so — well, distant.'

'He is jealous of you, for my sake, I think. I just think that, mind you — he's never said so. But I *think* he finds it pretty beastly that you should be thought so much of, and me so little, and that you should be made so welcome and me so unwelcome, when, after all, we're just two girls, except that you're rich and I'm poor and you're legitimate and I'm up against

the bar sinister, and Piers has always taken such an interest in the place and worked on it, and Eden only cares for poetry and having his own way.'

Alayne was scarlet. Out of the tangle of words one phrase menaced her. She said, with a little gasp, 'Whatever made you think I was rich? My dear child, I am poor — poor. My father was a college professor. You know they are poor enough, in all conscience!'

'You may be what you call poor, but you're rich to us,' answered Pheasant, sulkily.

'Now, listen,' continued Alayne, sternly. 'My father left me five thousand dollars insurance, and a bungalow which I sold for fourteen thousand, which makes nineteen thousand dollars. That is absolutely all. So you see how *rich* I am!'

'It sounds a lot,' said Pheasant, stolidly, and their hands parted and they both industriously plucked at the grass.

The significance of other allusions was now made plain to Alayne. She frowned as she asked, 'What put such an idea into your head, Pheasant? Surely the rest of the family are not suffering from that hallucination?'

'We all thought you were frightfully well off. I don't know exactly how it came about. Someone said — Gran said — no, Meg said — it was —' She stopped short, suddenly pulled up by a tardy caution. 'What does it matter, anyhow?'

Alayne had to subdue a feeling of helpless anger before she answered, quietly, 'It does not matter. But I want you not to have the notion that I am rich. It is ridiculous. It puts me in a false position. You knew that I worked for my living before I married Eden.'

Pheasant stared at her uncomprehendingly, and Alayne, moved by a sudden impulse, put her arm about her and kissed her. She said, 'How silly of me to mind! May we be friends, then?'

Pheasant's body relaxed against her with the abandon of a child's. 'It's lovely of you,' she breathed, 'not to mind about my —'

Alayne stopped her words with a kiss. 'As though that were possible! And I hope Piers will feel less unfriendly to me when he knows everything.'

Pheasant was watching over Alayne's shoulder two figures that were approaching along the orchard path.

'It's Renny,' she said, 'and Maurice. I wonder what they're up to. Renny's got an axe.'

The two came up, Maurice removing his tweed cap. Renny, already bareheaded, nodded, the reminiscent grin fading from his face.

'Alayne,' he said, 'this is Maurice Vaughan, our nearest neighbor.'

They shook hands, and Alayne, remembering having heard a reference to the fact that Vaughan drank a good deal, thought he showed it in his heavy eyes and relaxed mouth. He gave Pheasant a grudging smile and then turned to Renny.

'Is this the tree?' he asked.

'Yes,' returned Renny, surveying it critically.

'What are you going to do?' asked Alayne.

'Cut it down. It's very old, and it's rotting. It must make room for a new one.'

Alayne was filled with dismay. To her the old apple tree was beautiful, standing strong and yet twisted with age in the golden October sunshine. She asked, trying not to look too upset, for she was never certain when the Whiteoaks would be amused at what they thought soft-heartedness or affection, 'Must it come down? I was just thinking what a grand old tree it is. And it seems to have borne a good many apples.'

'It's diseased,' returned Renny. 'Look at the shape of the apples. This orchard needs going over rather badly.'

'But this is only one tree, and it is such a beautiful shape.'

'You must go over to the old orchard. You will find scores like this there.' He pulled off his coat and began to roll up his sleeves from his lean muscular arms. Alayne fancied that an added energy was given to his movements by her opposition.

She said nothing more, but with a growing feeling of antagonism watched him pick up the axe and place the first blow against the stalwart trunk. She imagined the consternation among the insect life on the tree at that first shuddering shock, comparable to an earthquake on our own sphere. The

tree itself stood with a detached air, only the slightest quiver stirring its glossy leaves. Another and another blow fell, and a wedge-shaped chip fresh with sap sprang out on to the grass.

'Oh, oh, let me get my things,' cried Pheasant, and would have darted forward to rescue her hat and mushrooms had not Vaughan caught her by the wrist and jerked her out of the way.

It seemed that the dignity of the gnarled old tree would never be shaken. At each blow a shiver ran through its far-spreading branches, and one by one the remaining apples fell. But for a long time the great trunk and massive primal limbs received the onslaughts of the axe with a sort of rugged disdain. At last, with a straining of its farthest roots, it crashed to the ground, creating a gust of air that was like the last fierce outgoing of breath from a dying man.

Renny stood, lean, red-faced, triumphant, his head moist with sweat. He glanced shrewdly at Alayne and then turned to Vaughan.

'A good job well done, eh, Maurice?' he asked. 'Can you give me a cigarette?'

Vaughan produced a box, and Pheasant, without waiting to be asked, snatched one for herself and, with it between her lips, held up her face to Vaughan's for a light.

'There's a bold little baggage for you,' remarked Renny to Alayne, with an odd look of embarrassment.

Pheasant blinked at Alayne through smoke. 'Alayne knows I've been badly brought up.'

'I think the result is delightful,' said Alayne, but she disapproved of Pheasant at that moment.

Pheasant chuckled. 'Do you hear that, Maurice? Are n't you proud?'

'Perhaps Alayne does n't realize that he is your happy parent,' said Renny, taking the bull by the horns.

Vaughan gave Alayne a smile, half sheepish, half defiant, and wholly, she thought, unprepossessing.

'I expect Mrs. Whiteoak has heard of all my evil doings,' he said.

'Will somebody please get my hat and book and mushrooms?' pleaded Pheasant. 'They're under the tree.'

Renny began to draw aside the heavy branches, the upper ones of which were raised like arms in prayer. An acrid scent of crushed overripe apples rose from among them. His hands, when he had rescued the treasures, were covered by particles of bark and tiny terrified insects.

Vaughan turned toward home, and Pheasant ran after him, showing a demonstrative affection toward him that baffled Renny, who was not much given to speculation concerning the feelings of his fellows.

As for Alayne, her mind was puzzled more and more by these new connections who were everything that her parents and her small circle of intimates were not. Even while their conduct placed her past life on a plane of dignity and reticence, their warmth and vigor made that life seem tame and even colorless. The response of her nature to the shock of this change in her environment was a variety of moods to which she had never before been accustomed. She had sudden sensations of depression, tinged with foreboding, followed by unaccountable flights of gayety, when she felt that something passionately beautiful was about to happen to her.

Renny, lighting a cigarette, looked at her gravely. 'Do you know,' he said, 'I had no idea that you were so keen about that tree, or I should have left it as it was. Why did n't you make me understand?'

'I did not wish to make too much fuss. I thought you would think I was silly. Anyone who knew me at all well would have known how I felt about it. But then, you do not know me very well. I cannot blame you for that.'

His gaze on her face became more intense. 'I wish I did understand you. I'm better at understanding horses and dogs than women. I never understand them. Now in this case it was n't till the tree was down and I saw your face that I knew what it meant to you. Upon my word, I would n't have taken anything — why, you looked positively tragic. You've no idea what a brute I feel.' He gave a rueful cut at the fallen tree to emphasize his words.

'Oh, don't!' she exclaimed. 'Don't hurt it again!'

He stood motionless among the broken

branches, and she moved to his side. He attracted her. She wondered why she had never noticed before how striking he was. But then, she had never seen him active among outdoor things before. She had seen him indifferently riding his roan horse. In the house, she had thought of him as rather morose and vigilant, though courteous, when he was not irritated or excited by his family; and she had thought he held rather an inflated opinion of his own importance as head of the house. Now, with his narrow red head, his red foxlike face and piercing red-brown eyes, he seemed the very spirit of the woods and streams. Even his ears, she noticed, were pointed, and his hair grew in a point on his forehead.

One of those unaccountable soarings of the spirit to which she had of late been subject possessed her at this moment. Her whole being was moved by a strange exhilaration. She had moved to Renny's side. Now, from a desire scarcely understood by herself, to prove by the sense of touch that she was really she, and he was no one more faunlike than Renny Whiteoak, she laid her hand on his arm. He did not move, but his eyes slid toward her face with an odd speculative look in them. He was faintly hostile, she believed, because of her super-sensitiveness about the tree. She smiled up at him, trying to show that she was not feeling childishly aggrieved, and trying at the same time to hide that haunting and willful expectancy fluttering her nerves.

The next moment she found herself in his arms with his lips against hers, and all her sensations crushed for the moment into helpless surrender. She felt the steady thud of his heart, and against it the wild tapping of her own.

At last he released her and said, with a rather whimsical grimace, 'Did you mind so much? I'm awfully sorry! I suppose you think me more of a brute than ever now.'

'Oh,' she exclaimed quiveringly, 'how could you do that? How could you think I should be willing —'

'I did n't think at all,' he said. 'I did it on the spur of the moment. You looked so — so — oh, I can't think of a word to describe how you looked.'

'Please tell me. I wish to know,' she said, icily.

'Well — inviting, then.'

'Do you mean *consciously* inviting?' There was a dangerous note in her voice.

'Don't be absurd! Unconsciously, of course. You simply made me forget myself. I'm sorry.'

She was trembling all over.

'Perhaps,' she said, courageously, 'you were not much more to blame than I.'

'My dear child, as though you could help the way you looked!'

'Yes, but I went over to you — deliberately, when — oh, I cannot say it!' Yet, perversely she wanted to say it.

'When you knew you were looking especially lovely — is that what you mean?'

'Not at all. It's no use, I cannot say it!'

'Why make the effort? I'm willing to take all the blame. After all, a kiss is n't such a terrible thing, and I'm a relation. Men occasionally kiss their sisters-in-law. It will probably never happen again, unless, as you say, you brazenly approach me when — what *were* you trying to say, Alayne? Now I come to think of it, I believe I have the right to know. It might save me some stabs of conscience.'

'Oh, you make it all seem ridiculous! You make me feel very childish — very stupid.'

He had seated himself on the fallen tree. Now he raised his eyes contritely to hers and said, 'Look here. That's the last thing on earth I want to do. I'm only trying to get you not to take it too seriously, and I want all the blame.'

Her earnest eyes now looked full into his. This took a great deal of courage, for his were sparkling, so full of interest in her, and at the same time so mocking. She said, 'I see that I must tell you. It is this. I have had odd feelings lately of unrest, and a kind of anticipation, as though just around the corner some moving, thrilling experience were waiting for me. This sensation makes me reckless. I felt it just before I moved toward you, and I think — I think —'

'You think I was playing up to you?'

'Not quite that. But I think you felt something unusual about me.'

'I did, and I do. You're not like any woman I've ever known. Tell me, have

you thought of me as — caring for you — thinking a good deal about you?'

'I thought you rather disliked me. But please let us forget about all this. I never want to think of it again.'

'Of course not,' he assented gravely.

With a stab of almost physical pain, Alayne remembered that she had half-unconsciously kissed him back again. Her face and neck were dyed crimson. With a little gasp she said, 'Of the two, I am the more to blame.'

'Is this the New England conscience that I've heard so much about?' he asked, filled with amazement.

'I suppose so.'

He regarded her with the same half-mocking, half-quizzical look in his eyes, but his voice deepened as he said, 'Oh, my dear, you are a sweet thing! And to think that you are Eden's wife, and that I must never kiss you again!'

She could not meet his eyes now. She was afraid of him, and still more afraid of herself. She felt that the strange expectancy of mood that had swayed her during these weeks at Jalna was nothing but the premonition of this moment. She said, trying to take herself in hand, 'I am going back to the house. I think I heard the stable clock strike. It must be dinner time.' She turned away and began to walk quickly over the rough orchard grass.

It was significant of the eldest Whiteoak that he made no attempt to follow her, but sat with his eyes on her retreating form, confident that she would look back at him.

As he expected, she turned after a dozen paces and regarded him with dignity, but there was a certain childlike pleading in her voice.

'Will you promise never to think of me as I have been this morning?' she asked.

'Then I must promise never to think of you at all,' he returned with composure.

'Then never think of me. I should prefer that.'

'Come, Alayne, you know that's impossible.'

'Well, promise to forget this morning.'

'It is forgotten already.'

But, hurrying away through the orchard, she felt that if he could forget as easily as

that it would be more terrible to her than if he had brooded on it in his most secret thoughts.

XV

There was an iron rule that every member of the family should attend morning service unless suffering from extreme physical disability. Being only half sick would not do at all. One must be prostrate. Alayne had seen Meg almost stumble into the motor, dazed from headache, a bottle of smelling salts held to her nose, and sit through the entire service with closed eyes. She had seen young Finch dragged off, regardless of a toothache.

She was inclined to rebel at first, but when she found Eden slavishly acquiescent she too succumbed. After all, she thought, there was something rather fine in such devotion, even though religion seemed to play so small a part in it. For the Whiteoaks were not, according to Alayne's standards, a religious family.

The only mention of the Deity's name at Jalna was when Grandmother mumbled an indistinguishable grace, or when one of the young men called on the Almighty to witness that he would do such and such a thing, or that something else was damned.

Yet with what heroism they herded themselves into those hard adjacent pews each Sunday!

Wakefield summed it all up for Alayne in these words: 'You see, Grandfather built the church, and he never missed a Sunday till he died. Gran never misses a Sunday and she's almost a hundred. She gets awfully sick if any of the rest of us stop home. And the rector and the farmers and other folk about count us every Sunday, and if one is missing — why, it doesn't seem like Sunday to them at all.' The little boy's eyes were shining. He was very much in earnest.

Grandmother had never ridden in a motor car, and never expected to ride in one consciously. But she had given orders for the motor hearse from Steed to bear her body to her grave. 'For,' she said, 'I like to think I'll have one swift ride before I'm laid away.'

The old phaeton was brought to the front steps every Sunday morning at half

past ten. The two old bay horses, Ned and Minnie, were freshly groomed, and the stout stableman, Hodge, wore a black broadcloth coat with a velvet collar. With his long whip he flicked the flies off the horses, and every moment cast an anxious look at the door and set his hat at a more Sundayish angle.

At a quarter to eleven old Mrs. Whiteoak emerged, supported by Renny and Piers, for it needed plenty of muscle to negotiate the passage from her room to the phaeton. For church she always wore a black moiré silk dress, a black velvet fur-trimmed cloak, and voluminous widow's weeds of the heaviest crape. Alayne thought that the old lady never looked so dignified, so courageous, as she did on these occasions, when, like some unseaworthy but gallant old ship, her widow's veil billowing like a sail, she once more set forth from her harbor.

When she was installed in a corner of the seat, with a cushion to her back, the old horses invariably made a forward plunge, for they were instantly aware of her arrival, and Rags as invariably, with a loud adjuration to Hodge to 'old 'ard,' leaped to the horses' heads with a great show of preventing a runaway. Her two sons next appeared: Nicholas, with a trace of his elegance of the old days; Ernest, mildly exhilarated, now that he had passed through the stage of preparation. Then came Meg, usually flustered over some misdeed of Wake's or Finch's. The little boy made the last of the phaeton party, climbing to the seat beside Hodge and looking, in comparison with that burly figure, very small and dignified in his snowy Eton collar and kid gloves. The rest of the family followed in the motor car, excepting Finch, who walked through fields and lanes.

Renny drove the car, and it was his chief concern to overtake and pass the phaeton as soon as possible, for, if he did not accomplish this before the narrow sloping Evandale road was reached, it was probable that the rest of the drive would take place behind the slow trotting horses, for Grandmother would not allow Hodge to move aside so that a motor might pass her on the road. She did not want to end her days in a ditch, she said. And she would sit with

the utmost composure while Renny's car, with perhaps half a dozen others behind it, moved at funeral pace, urging her onward with despairing honkings of their horns.

It was the morning after the scene in the orchard. Alayne had slept little. All night as she lay tossing, changing sharply from one position to another as the recollection of Renny's kisses made her cheeks burn and her nerves quiver, she had tried to see her position clearly, to ascertain whether she had been truly culpable or merely the passive object of Renny's calculated passion. Now, sitting behind Renny, she saw only the side of his face when he turned it momentarily toward Piers. She saw his thin cheek bone, the patch of reddish hair at his temple, and the compressed line of his lip and chin. Had he slept soundly, giving scarcely a second thought to what had so disturbed her? He had not appeared at dinner, tea, or supper, sending a message to the house that he and Maurice Vaughan had gone to a sale of horses together. This morning the determination to pass his grandmother's chariot before it reached the Evandale road seemed to absorb him. Pheasant had kept them waiting, and on her he threw a black look as she scrambled into the car.

The engine balked, then started jarringly. Eden, sitting between the girls, took a hand of each and exclaimed, 'Oh, my dears, let us cling together! We will come through this safely if we only cling together! Pheasant, give me your little paw!'

But, speed though the eldest Whiteoak did, he could not overtake his grandmother before she reached the Evandale road. There was the phaeton creaking along in leisurely fashion in a cloud of yellow dust, resembling an old barque in a heavy fog, Grandmother's veil streaming behind like a black pirate flag.

Renny, with half-closed eyes, squinted down the road where it dropped steeply into a dusty ditch, gray with thistles. 'I believe I could get by,' he muttered to Piers. 'I've a mind to try.'

The occupants of the phaeton recognized the peculiar squeakings of the family motor. They turned their heads, peering out of the dust fog like mariners sighting a

hostile craft. Renny emphatically sounded his horn.

They could hear Grandmother shout to Hodge. At once the two old horses were restrained to a walk.

'By Judas!' exclaimed Renny. 'I'd like to give the old lady a bump!'

Again he cast his eye along the narrow strip of road between the phaeton wheels and the ditch. 'I believe I'll risk it,' he said. 'Just go by like the devil and give them a scare.'

Piers said: 'You'll put us headfirst into those thistles if you do. And you might frighten the nags.'

'True,' said Renny, gloomily. Then he sounded his horn with passionate repetition.

Grandmother's face glared out of the fog. 'No back chat!' she shouted, but it was evident that she was enjoying herself immensely.

The eldest Whiteoak frowned. He slumped in his seat, resigning himself to the progress of a snail. He took off his hat.

The sight of his narrow head suddenly bared, the pointed ears lying close against the closely cropped red hair, had a remarkable and devastating effect on Alayne. She wanted to reach forward, put a hand on either side of it, and hold it tightly. She desired to stroke it, to caress it.

She gave a frightened look toward Eden, as though to implore him to cast out those devils that were destroying her. He smiled back encouragingly. 'We shall arrive,' he said, 'in God's good time. Behind us is Tompkins, who is a churchwarden, and he's suffering torture at the thought of being late. I've known him since I was three and he has only been late twice in all that time, and on each occasion it was Gran's fault. Tompkins is much worse off than we are.'

Alayne scarcely heard what he said, but she slipped her hand into his and clung to it. She was lost in speculations about what thoughts might be in that head toward which her hands were yearning. Were they of her, or had the scene in the orchard been only one of many careless encounters with women? She believed that last was not so, for he had avoided the house for the rest of the day, and this morning had palpably avoided her.

The bell was ringing as the car chugged

up the steep little hill and passed through the gate behind the church. Heads of people mounting the precipitous steps at the front could be seen bobbing upward, as though ascending from a well. Golden sunshine lay like a caress on the irregular green mounds and moss-grown headstones of the churchyard. There was one new grave, on the fresh sandy top of which a wreath of drooping flowers lay.

Wakefield came and put his hand into Alayne's.

'That's Mrs. Miller's grave,' he said. 'She had a baby and they're both in there. Is n't it terrible? It was a nice little girl and they'd named it Ruby Pearl. However, Miller has five girls left, so it might be worse.'

Old Mrs. Whiteoak shuffled, with scarcely perceptible progress, along the slat walk that led to the church door. Renny and Piers supported her, and Nicholas, Ernest, and Meg followed close behind, carrying her various bags, books, and cushions. Under her beetling rust-colored brows her piercing gaze swept the faces of those she passed. From side to side her massive old head moved with royal condescension. Sometimes her face was lighted by a smile as she recognized an old friend, but this was seldom, for most of her friends were long dead.

The smile flashed — the mordant and mischievous grin for which the Courts had been famous — at the Misses Lacey, daughters of a retired British admiral. 'How's your father, girls?' she panted.

The 'girls,' who were sixty-five, exclaimed simultaneously: 'Still bedridden, dear Mrs. Whiteoak, but so bright!'

'No right to be bedridden. He's only ninety.'

Now the grin was bestowed on a bent laborer, nearly as old as herself, who stood hat in hand to greet her, the fringe of silvery hair that encircled his pink head mingling with his patriarchal beard.

'Good morning, Hickson. Ha! These slats are hard to get over. Grip my arm tighter, Renny! Stop staring about like a fool, Piers, and hang on to me.'

The old man pressed forward, showing his smooth gums in a smile of infantile complacency.

'Mrs. Whiteoak, ma'am. I just am wantin' to tell ye that I've got my first great-great-grandchild.'

'Good for you, Hickson! You're smarter than I am. I have n't got even one great yet. — Don't drag at me, Piers! One would think I was a load of hay — ha — and you a cart horse. Tell Todd to stop clanging that bell. It's deafening me. Ha! Now for the steps!'

Eden and Alayne had fallen in behind Pheasant and Meg. Alayne wondered what the Corys and Rosamund Trent would have thought if they could have seen her at that moment, moving in that slow procession rather like courtiers behind an ancient queen. Already Alayne felt a family pride in the old lady. There was a certain fierce grandeur about her. Her nose was magnificent. She looked as though she should have a long record of intrigues, lovers, and duels behind her, yet she had been buried most of her life in this backwater! Ah, perhaps that was the secret of her strong individualism. The individualism of all the Whiteoaks. They thought, felt, and acted with Victorian intensity. They threw themselves into living, with unstudied sincerity. They did not philosophize about life, but no emotion was too time-worn, too stuffy, to be dragged forth by them and displayed with vigor and abandon. . . .

Ah, they were in the cool, dim church!

The bell had ceased. They were ranged in two pews, one behind the other. Their heads — blond, brown, and gray — were bent. Grandmother's great veil fell across Wake's thin little shoulders. She wheezed pathetically.

Little Miss Pink at the organ broke into the processional hymn. Wakefield could see, between the forms of those grown-ups before him, the white-clad figure of Mr. Fennel. How different he looked on Sunday, with his beard all tidy and his hair parted with moist precision! And there was Renny, surpliced too. How had he got into the vestry and changed so quickly? A Whiteoak always read the Lessons. Grandfather had done it for years. Then Father had his turn. And Uncle Ernest still read them sometimes when Renny was away — all the time Renny had been at the War. Would Wakefield ever read them himself,

he wondered. He pictured himself rolling out the words grandly, not in Renny's curt, inexpressive way.

A burst of melody rose from the Whiteoak pews. Strong voices, full of vitality, that bore down upon little Miss Pink and her organ like boisterous waves, and swept them along, gasping and wheezing, while the choir tried vainly to hold back. And even Renny in the chancel was against the choir and with the family. The choir, with the organ so weak and Miss Pink so vacillating, had no chance at all against the Whiteoaks.

'Rend your heart, and not your garments, and turn unto the Lord your God: for he is gracious and merciful, slow to anger, and of great kindness, and repenteth him of the evil.'

Mr. Fennel's voice was slow and sonorous. Heavy autumn sunshine lay in translucent planes across the kneeling people.

Alayne had come to love this little church, its atmosphere of simplicity, of placid acceptance of all she questioned. She kept her eyes on the prayer book which Eden and she shared. Grandmother was asking Meggie for a peppermint in a husky whisper, directly behind them. When it was given to her she dropped it, and it rolled under the seat and was lost. She was given another, and sucked it triumphantly. The smell of the peppermint and of the stuff of her crape veil was exuded from her. Wakefield dropped his collection, and Uncle Nick tweaked his ear. Piers and Pheasant whispered and Grandmother poked at Piers with her stick. Renny mounted the step behind the brass eagle of the lectern and began to read the First Lesson.

'If the clouds be full of rain, they empty themselves upon the earth: and if the tree fall toward the south, or toward the north, in the place where the tree falleth, there it shall be.'

'He that observeth the wind shall not sow; and he that regardeth the clouds shall not reap.'

'As thou knowest not what is the way of the spirit, nor how the bones do grow in the womb of her that is with child: even so thou knowest not the works of God who maketh all.'

The family stared at their chief as he read.

Old Mrs. Whiteoak thought:—

'A perfect Court! Look at that head, will you? My nose—my eyes. I wish Philip could see him. Ha, where's my peppermint? Must have swallowed it. How far away the lad looks. He's in his nightshirt—going to bed—time for bed.'

She slept.

Nicholas thought:—

'Renny's wasted here—ought to be having a gay time in London. Let's see, he's thirty-eight. When I was that age—God, I was just beginning to hate Millicent. What a life!'

He heaved himself in his seat and eased his gouty knee.

Ernest thought:—

'Dear boy, how badly he reads! Still, his voice is arresting. I always enjoy old Ecclesiastes. I do hope there will not be plum tart for dinner. I shall be sure to eat it—and sure to suffer. Mama is dropping her peppermint.'

He whispered to her: 'Mama, you are losing your peppermint.'

Meg thought:—

'I wish Renny would not get such a close haircut. How splendid he looks. Really, what strange things the Bible says—but very true, of course. How sweet Wake looks! So interested. He has the loveliest eyelashes. He's getting ready to kick Finch on the ankle.'

She bent over Wakefield and laid a restraining hand on his leg.

Renny's voice read on:—

'Truly the light is sweet, and a pleasant thing it is for the eyes to behold the sun.'

Eden thought:—

'He was a poet, the old chap who wrote that—"Truly the light is sweet, and a pleasant thing it is for the eyes to behold—" Strange I never noticed before how lovely Pheasant is! Her profile . . .'

He shifted his position a little, so that he might the better see it.

Piers thought:—

'I wonder if that piece of land needs potash. I believe I'll try it. Don't see what the dickens can be wrong with the sick ewe—walking in a circle, like a fool animal in a roundabout. Perhaps she's got gid or

sturdy. Must have the vet to her. Let's see, fourteen and twenty-one is thirty-five, and seven is forty-two — owe Baxter forty-two. Pheasant dare n't look at me — little rogue — darling little kid . . .'

He pressed his knee against hers, and looked at her under his lashes.

Pheasant thought: —

'How big and brown Piers's hands always look on Sunday! Regular fists. I like them that way, too. I wish Eden would n't stare. I know perfectly well he's thinking how dowdy I am beside Alayne. Oh dear, how hard this seat gets! I shall never get used to churchgoing. I was n't caught young enough. My whole character was completely formed when I married. Neither Maurice nor I have any religion. How nice it was to see him yesterday in the orchard. Quite friendly he was, too. Now, religion — Take Renny: there he stands in his surplice reading out of the Bible, and yesterday I heard him swearing like a trooper, just because a pig ran under his horse. To be sure it nearly threw him; but then, what good is religion if it does n't teach forbearance? I don't think he is a bit better than Piers. I wish Piers would n't try to make me smile.'

She bit her lip and turned her head away.

Wakefield thought: —

'I do hope there'll be plum tart for dinner. If there is n't plum tart I hope there'll be lemon tart. But Mrs. Wragge was in a terrible temper this morning. How glad I am I was in the coal cellar when she and Rags had their row! Why he called her a — Hold on, now, I'd better not think of bad things in church! I might be struck dead — dead as a door nail — the very dearest thing. How pretty the lectern is. How beautifully Renny reads. Some day I shall read the Lessons just like that, only louder — that is, of course, if I live to grow up. By stretching my legs very far under the seat in front, I can kick Finch's ankle. Now — Oh, bother Meggie, bother Meggie. Always interfering. Bother her, I say!'

He looked up innocently into his sister's face.

Finch thought: —

'To-morrow is the algebra exam, and I shall fail — I shall fail. If only my head did not get confused! If only I were more like

Renny! Nothing in the world will ever tempt me to stand up behind the lectern and read the Lessons. What a beastly mess I'd make of it!'

He became conscious of the words his brother was reading.

'Rejoice, O young man, in thy youth; and let thy heart cheer thee in the days of thy youth, and walk in the ways of thine heart, and in the sight of thine eyes: but know thou, that for all these things God will bring thee into judgment.'

Finch twisted unhappily in his seat. Why these eternal threats? Life seemed compact of commands and threats. And the magic of the words in which these old, old threats were clothed — the dark, heavy foreboding. Magic — that was it. Their magic held and terrified him. If he could but escape from the cruel magic of words. If he could only have sat by Alayne that he might have touched her dress as they knelt!

He closed his eyes, and clenched his bony hands tightly on his thighs.

Alayne thought: —

'How strange his brogues look under his surplice! I noticed this morning how worn and how polished they are. Good-looking brogues. How can I think of brogues when my mind is in torment? Am I growing to love him? What shall I do in that case? Eden and I would have to leave Jalna. No, I do not love him. I will not let myself. He fascinates me — that is all. I do not even like him. Rather, I dislike him. Standing there before that brass thing, with his brogues, his red hair, and Court nose, that foxlike look, he is repellent to me.'

She too closed her eyes, and pressed her fingers against them.

'Here endeth the First Lesson.'

Then, with Miss Pink and the organ tremulously leading the way, and the choir fatuously fancying themselves masters of the situation, the Te Deum burst forth from every Whiteoak chest save Grandmother's, and she was gustily blowing in a doze. From the deep baritone of Nicholas to the silver pipe of Wake, they informed the heavens and the earth that they praised the Lord and called him Holy.

That night, after the nine-o'clock supper of cold beef and bread and tea, with oatmeal

scones and milk for Grandmother and Ernest (who, alas, had partaken of plum tart at dinner as he feared), Meg said to Alayne:—

‘Is it true, Alayne, that Unitarians do not believe in the divinity of Christ?’

‘What’s that?’ Grandmother interrupted. ‘What’s that?’

‘The divinity of Christ, Gran. Mrs. Fennel was telling me yesterday that Unitarians do not believe in the divinity of Christ.’

‘Nonsense,’ said Mrs. Whiteoak. ‘Rubbish. I won’t have it. More milk, Meggie.’

‘Why talk of religion?’ said Nicholas. ‘Tell us a story, Mama. One of your stories, you know.’

His mother cocked an eyebrow at him. Then, looking down her nose, she tried to remember a risqué story. She had had quite a store of these, but one by one they were slipping her memory.

‘The one about the curate on his holiday, Mama,’ suggested Nicholas, like a dutiful son.

‘Nick!’ remonstrated Ernest.

‘Yes, yes,’ said the old lady. ‘This curate had worked for years and years without a holiday. And — and — oh dear, what comes next?’

‘Another curate,’ prompted Nicholas, ‘who was also overworked.’

‘I think the boys should go to bed,’ said Meg, nervously.

‘She will never remember it,’ replied Renny, with calm.

‘Oh, Wakefield is playing with the Indian curios!’ cried Meg. ‘Do stop him, Renny!’

Renny took the child forcibly from the cabinet, gave him a gentle cuff, and turned him toward the door. ‘Now, to bed,’ he ordered.

‘Let him say good-night first!’ shouted Grandmother. ‘Poor little darling, he wants to kiss his Gran good-night.’

Wakefield made the rounds, distributing kisses and hugs with a nice gauging of the character of the recipient. They ranged, in all varieties, from a bearlike hug and smack to Gran to a courteous caress to Alayne, and a perfunctory offering of his olive cheek to his brothers, except Finch, to whom he administered a punch in the stomach which

was returned by a sly but wicked dig in the short rib.

The Whiteoaks had a vocation for kissing. They kissed upon the slightest provocation. Indeed, the grandmother would frequently, on awakening from a doze, cry out pathetically: ‘Kiss me, somebody, quick!’ Ah, perhaps Renny had regarded the kissing of Alayne in the orchard as a light thing!

A sudden impulse drew her to him where he stood before the cabinet of curios, a little ivory ape in his hand.

‘I want to speak to you about Finch,’ she said, steadily.

The light was dim in that corner. Renny scanned her face furtively.

‘Yes!’

‘I like him very much. He is an unusual boy. And he is at a difficult age. There is something I should like you to do for him.’

He regarded her suspiciously. What was the girl up to?

‘Yes?’ His tone was mildly questioning.

‘I want you to give him music lessons. Music would be splendid for him. He is a very interesting boy, and he needs some outlet besides geometry and things like that. I am sure you will not be sorry if you do it. Finch is worth taking a great deal of trouble for.’

He looked genuinely surprised.

‘Really? I always thought him rather a dull young whelp. And no good at athletics, either. That would be some excuse for being at the bottom of his form most of the time. None of us think of him as interesting.’

‘That is just the trouble. Every one of you thinks the same about Finch, and in consequence he feels himself inferior — the ugly duckling. You are like a flock of sheep, all jumping the one way.’

Her enthusiasm for Finch made her forget her usual dignified reticence, and with it her embarrassment. She looked at him squarely and accusingly.

‘And you look on me as the bellwether, eh? If you turn my woolly, wooden head in another direction, the others will follow. I am to believe that Finch will turn out to be the swan, then?’

‘I should not be surprised.’

‘I shall have the family in my wool, you know. They’ll hate the strumming.’

'They will get used to it. Finch is important, though none of you may think so.'

'What makes you sure he has musical talent?'

'I am not sure. But I know he appreciates music, and I think he is worth the experiment. Did you ever watch his face when your uncle Nicholas is playing?'

'No.'

'Well, he is playing now. From here you can see Finch quite clearly. Is n't his expression beautiful, revealing?'

Renny stared across the room at his young brother.

'He looks rather idiotic to me,' he said, 'with his jaw dropped and his head stuck forward.'

'Oh, you are hopeless!' she said, angrily.

'No, I'm not. He's going to have his music and I am going to endure the curses of the family. But, for my life and soul, I can't see anything of promise in him at this moment. Now Uncle Nick, with the lamp-light falling on that gray lion's head of his, looks rather splendid.'

'But Finch — don't you see the look in his eyes? If only you could understand him — be a friend to him —' Her eyes were pleading.

'What a troubled little thing you are! I believe you do a lot of worrying. Perhaps you are even worrying about me!'

He turned his intense gaze into her eyes.

A passionate unrest seized upon her. The walls of the room seemed to be pressing in on her; the group of people yonder, stolid, inflexible, full-blooded, arrogant, seemed to

be crushing her individuality. She wanted to snatch the ivory ape from Renny's hands and hurl it into their midst, frightening them, making the parrot scream and squawk.

Yet she had just been granted a favor that lay near her heart — music for poor young Finch.

The contradictions of her temperament puzzled and amused the eldest Whiteoak. He discovered that he liked to startle her. Her unworldliness, as he knew the world, her reticence, her honesty, her academic ardors, her priggishness, the palpable passion that lay beneath all these, made her an object of calculated sexual interest to him. At the same time he felt an almost tender solicitude for her. He did not want to see her hurt, and he wondered how long it would be before Eden would most certainly hurt her.

He said, 'I have forgotten yesterday, as I promised. Have you forgiven?'

'Yes,' she returned, and her heart began to beat heavily.

'But giving Finch those music lessons will never make up for cutting down the tree, I'm afraid. You've made me very tender-hearted.'

'Are you sorry for that?'

'Yes. I have especial need of hardness just now. I must not get to care for you,' he said, in a muffled voice. 'Nor you for me. It would make an impossible situation.'

'Yes,' murmured Alayne, 'it would be impossible.'

(To be continued)

THE CONTRIBUTORS' COLUMN

MANUFACTURERS generally have taken to gilding the lilies of their various fields, as we all know from turning the fore and back pages of a magazine. How Art was coaxed into the employ of Business, how Beauty became as desirable as Efficiency, is a matter of utmost concern to **Earnest Elmo Calkins**, senior partner of a prominent advertising concern and a pioneer on the freshest trails of fashion. Everywhere about us we see the tendency he describes. There is real significance in the report that **Mrs. J. D. Rockefeller, Jr.**, has just placed \$7000 in the hands of the Art Centre to be used in stimulating improved design in the roadside 'hot dog' stands. ¶That A Guest of the United States should receive from the officials at our threshold a reception so brutal and inconsiderate is an outrage infuriating both to patriots and to the stranger within our gates. The instance is not exceptional. We greatly fear it is typical. ¶An English military critic of the first rank, **Captain B. H. Liddell Hart** gives us an Allied and understanding estimate of 'Black Jack' Pershing. This is the second paper in Captain Hart's series on the commanders of the Great War, the first of which, 'Joffre,' appeared in the July *Atlantic*. **Summerfield Baldwin**, a member of the newer generation, is a convert to the Roman Catholic Church. **Rudolph Fisher**, one of the younger Negro writers, graduated with honors from Brown University and is now practising as an X-ray specialist and a writer of *Atlantic* fiction in New York City. Among our editorial trophies is the Gem razor blade which 'Eight-Ball' used in his encounter, sent to convince us of the actuality of the occurrence.

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We print one of the originals of the three ancient Chinese poems discovered and translated in Peking last year by **Stella Fisher Burgess** and **Li An-Che**. **Mrs. Burgess**, whose husband is the head of

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寒夜不寐口占
清姚棲霞
永夜窗紗月下透
無眠坐起強支持
意中多少難言事
盡在低聲喚母時
‘Sleepless, on a cold
night, I pour out
my heart,’
by Yao Hsi Hsia

Yenching University, has divided her time almost equally between the United States, China, and Japan. **Albert Rhys Williams**, a former Congregationalist minister of Boston, was in Petrograd at the time of the 1917 Revolution and since then has made his residence in Russia, either at Moscow or at Khvalynsk, a village on the Volga. ¶A modern Jefferies, **Henry Williamson** is a young Englishman who for seven years has lived as a hermit in a tiny cottage in North Devon, spending his days on the moors in observation of the life around him or as a follower of the Devon and Somerset hounds, his nights with pen and paper. He was first called to our attention by **Mr. John Galsworthy**, who wrote us that

Mr. Williamson is in direct and legitimate succession to Hudson as the first of English nature writers. ¶In and out of school **Leslie Hotson** is a literary detective who would rather scout through old documents than eat. He has already made a name for himself by his capture and identification of Christopher Marlowe's murderer. **Josephine Preston Peabody** died before her lovely work was finished. These unpublished verses are sent us by her husband, Professor Marks of Harvard, who is at work collecting the poems for their definitive edition. ¶Late Principal of Rajahmundry College, **Oswald Couldrey** has returned to his native Berkshire, where in prose and painting he records the beauty of his Indian hours. ¶Unlike Mrs. Noah, **Mrs. Helen Murphy**, a plucky Louisiana housewife, took her animals to the attic when the Flood came. ¶The Reverend **Herbert Parrish**, rector of an historic New Jersey Church, sends us this prologue to his play:—

I got the story about 1900 from a sea captain on the Pacific Coast. He said the priest put off in a small boat and boarded his vessel at a port in South America, asked for white bread and wine, and then told him about a fellow who had won away the natives by representing himself as a god. The priest waited until Holy Week and then worked the people up to crucify the man. Thus, the foundation for my play.

* * *

All Presidents have naturally enough resented criticism of their policies, but none, according to **Willis Sharp**, has perhaps gone quite so far as Mr. Coolidge in his attitude toward the duties as well as the rights of the Press. ¶An attorney and the author of a standard work on the Supreme Court, **Charles Warren** is a Bostonian who practises his law in Washington, D. C. ¶English editor and publicist, **Lionel Curtis** served in the South African War and was subsequently made the Assistant Colonial Secretary to the Transvaal and a member of its Legislative Council. For years he was editor of the *Round Table*.

* * *

It has been reported that **Mazo de la Roche**, the author of the Atlantic prize novel, had a narrow escape recently when,

on her way to her summer cottage in the Ontario woods, the motor in which she and her friends were riding was caught between the closed gates of a railroad crossing and the occupants were forced to jump for their lives. Miss de la Roche is contemplating a sequel to 'Jalna,' but this is, we believe, far too hazardous a way of collecting material, however exciting.

For the benefit of those casual readers who may have missed an installment we print below the synopsis of the narrative thus far:—

When Captain Philip Whiteoak and Adeline Court were married in India in 1848, they were the most brilliant couple in their military station. But the inheritance of property in Canada prompted Philip to sell his commission and bring his wife and infant daughter Augusta to Ontario. A great stone manor house was built and a thousand acres of wilderness transformed into the semblance of an English park. 'Jalna' the estate is called, after the military station where the couple first met.

The story is of the present time. Adeline, her husband long since dead, is an indomitable old woman, eagerly on the verge of completing a full century of life. She has two surviving sons, themselves old men: Nicholas, whose wife left him for a young army officer, and Ernest, a bachelor. A third son, Philip, is dead. His two marriages embarrassed the declining estate with six children. From the first marriage came Meg, the only girl, and Renny, now master of the cohesive little Whiteoak clan. From the second came Eden and Piers, now in the twenties, Finch, sixteen, and Wakefield, nine.

The relations of this pungent family are complicated and intensified by two further marriages contracted by members of its youngest generation. Piers arouses unbridled resentment and abuse by bringing home as his bride a girl of illegitimate birth. She is Pheasant, whose father, Maurice Vaughan, is a friend of Renny, and had been engaged to Meg until she learned of his fault. Eden in the meantime has upset Whiteoak tradition by writing a volume of poems. During a visit to his New York publisher, he meets Alayne Archer, a girl of sheltered and cultivated life, who, on the death of her parents, has become a publisher's reader. On the news of their engagement, the family at Jalna naively conclude that the girl is rich, and the pair, arriving after their marriage, are extended a welcome in sharp contrast to the hostility shown to Piers and Pheasant.

A REASONED OPINION

'So much publicity has been given to Professor Felix Frankfurter's outline of the *Case of Sacco and Vanzetti*, as it recently appeared in the *Atlantic Monthly*, that little more need be said than that, in a somewhat lengthened form, it has now appeared in book form. It consists of an attempt to present to the reader not legally trained a running picture of the controversial points raised in the record, both those of law (with a description of just what the reviewing court did, and did not, pass on) and those of fact, entering mainly upon the questions of judicial discretion. The presentation is not only interesting, — an important fact, since the ordinary reader is aimed at, — it is also temperate in tone and in refreshing contrast to the notes of personal abuse of one's opponent that characterize so much of the writings of others on this subject. Certainly it is highly successful in awakening most grave doubts whether the trial of Sacco and Vanzetti fairly and convincingly did disclose their guilt.' — Review from the *Journal of the American Bar Association*, vol. 13, p. 311 (June 1927)

* * *

With Miss de la Roche's permission we are printing at least one of the extraordinary letters she has received following the award of the Atlantic Prize of \$10,000.

ANTIGONISH CO., NOVA SCOTIA

Miss Mazo de la Roche

DEAR FRIEND: —

Permit me to call you my friend & kindly pardon me addressing you by letter. As I am a 'shut in' — I am lame from getting hurt and may have to have an operation on my leg if it dont improve, friends are kind to send me books & papers to cheer up my lonely moments, and I enjoy them all so much. In the papers I read of your brilliant success as an authoress. Allow me to congratulate you, and extend my heartiest wishes for your future success, — all good luck. I am a Canadian also; I was born just 60 yrs. ago in the dear old Chateauguey Valley Quebec Prov.

Nova Scotia is the land of my adoption thro marriage, but I have never been happy in this country & long for my native land & scenes of my childhood and dear old home.

I was married to my husband 35 years ago & came East on a little visit to his people, who were quite aged & helpless almost with rheumatism &

sickness & as none of the family seemed to care for 'hem in this isolated place, on a small farm, they induced my husband to stay & I tried to do my very best in every way but just could not please them, — I was either to particular & clean, or not clean enough. My nerve became shattered and also my health & my husband was quite indifferent. He was out at his work and went on his trips & never worried about his folks. I had to get up twice & three times at night to attend to the old woman, — and so cold. A few days ere my first child was born I fell downstairs and was near killed. I had 6 children, & never once a Dr. — today I am ruined. I wonder how I ever endured it all, and suffered so much, — no one at this time would do it, & living a life of poverty & self sacrifice for thankless people. The old man was a paralytic for years — a big man over 6 ft & so ignorant and I was ruptured lifting and lugging him & often only a little girl to help me fix the bed, & then the washing — Oh dear when I recall it, I often wonder where I got the strength; and I suffered so much mentally & as well as physically, I cannot stand anything rough or ignorant, I am so very sensitive to the like. Dear Granny was such a lady — & a Christian; oh the memory of these dear old days — our lessons, our play, — the little Church — our playmates & dear Mother & little sister's grave. 'Memory is the only thing that grief can call her own' and my old heart often aches.

Now, dear Friend — If I wrote the story of my life from childhood up, would you purchase the same from me — and write a novel from it? I am sure you could, as it has been a very strange & lonely life — yet full of adventure & exciting — love scrapes too.

I want to get some money to buy back my dear old home & go & live there & be happy.

Wont you be my friend & help me dear & ease my lonely heart, — I have to go to the hospital with my sore leg, but have no money, — would you give me \$100, thats what it would cost me I am told.

Yours in love & best wishes

R. S. C.

* * *

Commenting on the various letters which have come in response to his paper on the Junior College, Professor Palmer writes: —

In none of the adverse letters thus far, in few of the approving ones, has there been any mention of my main point — the destruction of that great body of 'amateur scholars' who are at present the glory of American education and the chief support of our colleges. How little way has thought on the subject gone!

The alumni object.

SAN FRANCISCO, CAL.

DEAR ATLANTIC, —

A few days after your April issue arrived on the Pacific Coast, marked copies were flying back and forth among the alumni of Stanford University enthusiastically calling attention to the article by Dr. Palmer on 'The Junior College.' A large majority of us have viewed the rapid progress of this change in the educational system with the same alarm that Dr. Palmer expresses. A recent canvass of the alumni throughout the country indicated more than eighty-five per cent of those who are now engaged in applying what they gained at Stanford to the varied problems of life as emphatically opposed to any change which would require Stanford men and women to get the first two years of their college training at a 'grown-up high school' dignified with the name of Junior College.

However, when we dare to voice such an opinion, we are promptly silenced by the academic authorities. We are accused of inconsistency to the extent of building ourselves modern homes and offices, driving back to the campus in 1927 model automobiles, and then parking them at the gate and expecting to walk in and find everything as it used to be when we were there in '95, '06 — or whenever it may have been. We are further told that the destinies of the University are in the hands of men who are devoting their lives to educational matters, and that when, after mature deliberation, they conclude that the elimination of the lower division will increase the efficiency of the educational system, we have no justification for expressing 'horseback' opinions after a few minutes' superficial consideration of the matter.

Many of us have children whom we hope to see following us through the Alma Mater that holds such a warm place in our hearts. But we see, as does Dr. Palmer, grave defects in a system which would give only two years of college atmosphere to all of those except the relatively few who are qualified and needed as technical, professional specialists.

Granting that four years' work after graduating from high school is all that the prospective business man or politician needs, it is clear that those who go first to Junior College will have only two years under the broadening influence of the University. Dr. Palmer points out that 'even after four years many young men graduate without bearing any distinct mark of their college life.' We emphatically agree with him in doubting whether that life could be cut in two and still leave the graduate with any worth-while University heritage.

Cordially yours,

G. O. WILSON

The students cheer.

ST. JOSEPH, MO.

DEAR ATLANTIC, —

In our town we have a junior college — I shudder to admit it. And its standards are shocking.

There is not a single undergraduate instructor in the faculty.

Grades are not figured on a curve — each student gets just what he is worth, though the whole class fail.

Our instructors are absolutely impartial, and are actually delighted when a student shows exceptional interest or ability.

Our college has no stadium.

Basketball is our only form of athletics.

But worst of all is our idea of research or independent work.

The instructor approves the topic for investigation, and says, 'Now dig.' The student has access to no ready-gathered material neatly filed and often used. There are no obliging seniors to write the paper from their old notes for twenty-five dollars. The instructor does not, as does the research professor of a university, give the student references to books and pages where choice material may be found. The student has to find his material, take his notes, and write his reports by himself, which is a difficult system, as witness those students who do fairly well at the university as freshmen, come back to finish their sophomore year at junior college, and flunk.

Accordingly I agree that the junior college is a menace to our educational system, for its students do not do real college work.

Respectfully,

W. H. KLICK

* * *

This personal letter from an *Atlantic* author comes pat on the heels of our recent discussions of China.

SHANGHAI, CHINA

26 April 1927

DEAR ATLANTIC, —

You will realize from the address at the top of this letter that we are included among the number of refugees and very thankful indeed to be under the protection of the British Defense Force.

We had several very uneasy weeks under the Nationalist 'government' before the order came to evacuate, although Wuhu suffered far less than many other places. The new régime opened for us with the looting of some of the Customs premises and many acts of wanton destruction. When the Customs Club was sacked, for example, the mob hacked and tore the piano to pieces,

and after they had wrecked everything on which they could lay hands, and strewn the fragments of what had been a fine library round the neighborhood, proceeded to pull up the boards of the floors and pry loose the window copings. We had a most dramatic view of this from our hill, whence at the same time we could see a Customs station upriver going up in flames, defeated troops pouring along the dikes from the north while we held our breath wondering where an incoming troopship with the first of the Cantonese forces was planning to land: had it pulled alongside one of the foreign hulks, as it seemed about to do, the immense mob gathered to welcome it would have been set going upon an orgy of plunder of which we all too soon should have felt the effects. The crisis passed, happily for us; under cover of darkness we hurried the women through camps of soldiery just in from battle and much too tired and dispirited to challenge us, getting them safely to the protection of the British and American destroyers. The next day came an immense demonstration, some twenty thousand people gathered with drum and banner on the foreshore and bands repeating ad nauseam the French nursery ditty which the Kuomintang have lifted to the absurd dignity of a national anthem. All day long we sat in the hot sunshine, worried as to how the business would end and keeping a weather eye on possible roads of escape if the crowd turned our way; but a huge British cruiser, H. M. S. Emerald, had come in the night, two American destroyers arrived at a critical moment, and the long procession passed our gates shouting, 'Strike down Imperialism! Strike down Britain! Strike down foreigners!' — waving red flags, rushing off to loot more of the Customs (this part was instigated by the Opium Smugglers' Union, who created a disorderly diversion to carry away the stocks of opium which had been seized), but never offering to molest us. By sunset the Bund was open to us again and we used the chance to get what luggage we could to our wives, who had been ordered to take refuge in Shanghai.

The following were weeks of constant uneasiness. Troops were quartered in most of our buildings, especially churches, which they soon reduced to an unspeakable state. In addition to defiling these places, using the concrete floors for building fires and the altars as convenient platforms on which to stand while addressing the soldiers, they allowed the students free play in most mischievous agitation. All the old restraints had gone by the board: elderly members of the gentry were dragged through the streets with humiliating placards tied round their necks; girls' schools were visited daily by students who

refused to give their names, but who kept calling out the more attractive of the girls on 'patriotic' errands. The headmistress of a Methodist school, finding this intolerable, closed her school after consultation with the parents and immediately found herself threatened with a riot, for the Students' Union refused her permission to close! It was consolation to us that our school, conducted by an American order, the Sisters of the Transfiguration, remained thoroughly loyal. Their delegates had to attend a meeting of the students at which those from the various mission schools stated their false grievances. When our girls were asked how the Sisters treated them, they replied, 'Like father and mother.' This, to anyone who knows how Chinese fear the taunts of the mob, was an astounding exhibition of courage. They were roundly cursed by the boys, called 'Running-dogs of Imperialism' and a good many other names which would not bear translation.

At last, after the attempted massacre in Nanking, our position on shore became untenable, so we had to take refuge in Shanghai. Refugee conditions provide us with too much leisure and too little chance of using it profitably, so I have got the Bishop's permission to take a temporary position as supervisor of Chinese traffic on one of the British ships trading to Hankow. It was my only way of getting consular sanction to a further voyage upriver where the recent break between the communist and more moderate wings of the Kuomintang may provide excitement. Incidentally it may allow me the chance to visit my house, which I had to abandon to the tender mercies of the soldiers. I wonder whether they have made inroads on my library — I had about eight hundred books — and broken up the furniture, which a Ningpo carpenter made to my designs, to keep their fires going. This has been their practice in other places. . . .

VINCENT H. GOWEN

* * *

When a feller needs a friend.

LARAMIE, WYOMING

DEAR ATLANTIC, —

The *Atlantic* has been found in many strange places in this world, but did you ever hear of a better one than this?

My brother was wounded at St. Mihiel, September 15, 1918. When his pack was unrolled, there lay in the middle of it two *Atlantics* with several pieces of shrapnel embedded in them. So you see you are a war hero yourself.

E. C. H.